

HOUSE OF REPRESENTATIVES.

FRIDAY, January 4, 1901.

The House was called to order by the Clerk, Hon. ALEXANDER McDOWELL, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 4, 1901.

To the House of Representatives:

I hereby designate and name Mr. JOHN DALZELL, a Representative from the State of Pennsylvania, to perform the duties of the Chair during this day, January 4, 1901.

D. B. HENDERSON,
Speaker of the House of Representatives.

Mr. DALZELL accordingly took the chair as Speaker pro tempore.

Prayer was offered by the Chaplain, Rev. HENRY N. COUDEN. The Journal of the proceedings of yesterday was read and approved.

RETURN OF BILL TO THE HOUSE OF REPRESENTATIVES.

Mr. LACEY. Mr. Speaker, I offer the privileged resolution which I send to the desk.

The SPEAKER pro tempore. The resolution will be read.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring). That the President of the United States is hereby requested to return to the House the bill (H. R. 2955) entitled "An act providing for a resurvey of township No. 8 of range No. 30 west, of the sixth meridian, in Frontier County, State of Nebraska," in order to correct an error whereby the bill has been enrolled as an act of the first instead of the second session of the Fifty-sixth Congress.

Mr. LACEY. Mr. Speaker, by way of explanation, I desire to state that this bill was enrolled, so far as the printing was concerned, in the last session—that is, the first session of the present Congress. It was signed by the Speaker of the House, but the enrollment of the bill was not completed, as the President of the Senate did not sign it at that time. The President of the Senate has signed it during the present session and forwarded it to the Executive, who approved it. It was afterwards ascertained that this error in dates had occurred, and the President has erased his name from it and called the attention of the Speaker of the House to the discrepancy in the dates. This concurrent resolution simply brings the bill back to the House in order to make the necessary correction.

Mr. RICHARDSON of Tennessee. I did not catch the entire statement of the gentleman from Iowa; but as I understand it, this in no way adjudicates the question presented by the bill.

Mr. LACEY. In no way whatever. It is simply a concurrent resolution asking the return of the bill from the President.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The resolution was considered, and agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. BURKE of South Dakota, for ten days, on account of important business.

To Mr. NEVILLE, indefinitely, on account of sickness.

To Mr. CAMPBELL, indefinitely, on account of important business.

To Mr. TALBERT, indefinitely, on account of sickness.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. MIERS of Indiana to withdraw from the files of the House, without leaving copies, papers in the case of Johnson White in the Fifty-sixth Congress, there being no adverse report.

RIVER AND HARBOR BILL.

Mr. BURTON, from the Committee on Rivers and Harbors, reported a bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; which was read a first and second time, and referred to the Committee of the Whole House on the state of the Union.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to reserve all points of order on the bill.

The SPEAKER pro tempore. The points of order are reserved.

ORDER OF BUSINESS.

Mr. GRAFF. Mr. Speaker, it is evident that the Committee on Claims will not have an opportunity to have bills considered from that committee to-day, and I therefore ask unanimous consent to set apart next Tuesday as the day on which bills may be considered in their proper order on the Calendar as reported from the Committee on Claims.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. SWANSON. Mr. Speaker, I object.

REPRESENTATION.

Mr. OLMSTED. Mr. Speaker, I—

Mr. UNDERWOOD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The Chair will count.

After counting the House, the Speaker pro tempore announced 142 members, not a quorum, present.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

Mr. STEELE. Let us have the yeas and nays at once, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 84, nays 105, answered "present" 18, not voting 148; as follows:

YEAS—84.

Adamson,	Finley,	McAleer,	Shafroth,
Atwater,	Fox,	McClellan,	Sheppard,
Ball,	Gaines,	McCulloch,	Sims,
Bankhead,	Gilbert,	McDermott,	Slayden,
Beil,	Gordon,	McLain,	Small,
Benton,	Griffith,	Maddox,	Snodgrass,
Brundidge,	Hay,	Miers, Ind.	Sparkman,
Burleson,	Henry, Miss.	Moon,	Spight,
Burnett,	Johnston,	Newlands,	Stark,
Caldwell,	King,	Quarles,	Stephens, Tex.
Catchings,	Kitchin,	Rhea, Ky.	Sutherland,
Clark, Mo.	Kleberg,	Rhea, Va.	Swanson,
Cooper, Tex.	Kluttz,	Richardson, Ala.	Tate,
Cowherd,	Lamb,	Richardson, Tenn.	Taylor, Ala.
Crowley,	Lanham,	Rixey,	Turner,
Davenport, S. W.	Lassiter,	Robb,	Underwood,
Davis,	Lester,	Robinson, Ind.	Vandiver,
Denny,	Lewis,	Rucker,	Williams, J. R.
Dinsmore,	Little,	Ryan, N. Y.	Wilson, N. Y.
Dougherty,	Livingston,	Ryan, Pa.	Wilson, S. C.
Elliott,	Lloyd,	Salmon,	Zenor.

NAYS—105.

Adams,	Esch,	Lacey,	Russell,
Aldrich,	Fletcher,	Lawrence,	Shattuc,
Alexander,	Foss,	Littlefield,	Shaw,
Allen, Me.	Gibson,	Long,	Showalter,
Baker,	Gillet, N. Y.	Loud,	Sibley,
Barham,	Gillett, Mass.	Loudenslager,	Smith, H. C.
Bingham,	Graft,	Lovering,	Southard,
Bishop,	Graham,	McCall,	Sperry,
Borwing,	Greene, Mass.	Mann,	Sprague,
Bowersock,	Grosvenor,	Minor,	Steele,
Brick,	Groat,	Mondell,	Stewart, N. J.
Bromwell,	Grow,	Moody, Mass.	Taylor, Ohio
Brownlow,	Hamilton,	Moody, Oreg.	Thomas, Iowa
Burkett,	Heatwole,	Morris,	Tongue,
Burleigh,	Hedge,	Mudd,	Vreeland,
Burton,	Hemenway,	Needham,	Wachter,
Calderhead,	Hepburn,	O'Grady,	Warner,
Connell,	Hoffecker,	Olmsted,	Weaver,
Conner,	Hopkins,	Packer, Pa.	Weeks,
Cromer,	Howell,	Parker, N. J.	White,
Curtis,	Jack,	Payne,	Williams, Miss.
Dalzell,	Jenkins,	Pearson,	Woods,
Davenport, S. A.	Jones, Wash.	Pearre,	Young,
Davidson,	Joy,	Powers,	Ziegler.
Dovener,	Kahn,	Pugh,	
Eddy,	Kerr, Md.	Reeder,	
Emerson,	Knox,	Roberts,	

ANSWERED "PRESENT"—18.

Allen, Ky.	Broussard,	Green, Pa.	Ray, N. Y.
Bellamy,	Burke, Tex.	Jones, Va.	Ridgely.
Boutell, Ill.	De Armond,	Latimer,	Williams, W. E.
Breazeale,	Fitzpatrick,	Mahon,	
Brenner,	Gaston,	Metcalf,	

NOT VOTING—148.

Acheson,	Cusack,	Lane,	Robinson, Nebr.
Allen, Miss.	Cushman,	Lentz,	Rodenberg,
Babcock,	Dahle,	Levy,	Ruppert,
Bailey, Kans.	Davey,	Linney,	Scudder,
Bailey, Tex.	Dayton,	Littauer,	Shackleford,
Barber,	De Graffenreid,	Lorimer,	Shelden,
Barney,	Dick,	Lybrand,	Sherman,
Bartholdt,	Driggs,	McCleary,	Smith, Ill.
Bartlett,	Driscoll,	McDowell,	Smith, Iowa.
Berry,	Faris,	McRae,	Smith, Ky.
Boutelle, Ma.	Fitzgerald, Mass.	Marsh,	Smith, Samuel W.
Bradley,	Fitzgerald, N. Y.	May,	Smith, Wm. Alden
Brantley,	Fleming,	Meekison,	Spalding,
Brewer,	Fordney,	Mercer,	Stallings,
Brosius,	Foster,	Mesick,	Stevens, Minn.
Brown,	Fowler,	Meyer, La.	Stewart, N. Y.
Bull,	Freer,	Miller,	Stewart, Wis.
Burke, S. Dak.	Gamble,	Morgan,	Stokes,
Butler,	Gardner, Mich.	Morrell,	Sulloway,
Campbell,	Gardner, N. J.	Muller,	Sulzer,
Cannon,	Gayle,	Naphen,	Talbert,
Capron,	Gill,	Neville,	Tawney,
Carmack,	Glynn,	Noonan,	Terry,
Chanler,	Griggs,	Norton, Ohio	Thayer,
Clarke, N. H.	Hall,	Norton, S. C.	Thomas, N. C.
Clayton, Ala.	Haugen,	Otey,	Thropp,
Clayton, N. Y.	Hawley,	Otjen,	Tompkins,
Cochran, Mo.	Henry, Conn.	Overstreet,	Underhill,
Cochrane, N. Y.	Henry, Tex.	Pearce, Mo.	Van Voorhis,
Cooney,	Hill,	Phillips,	Wadsworth,
Cooper, Wis.	Hitt,	Pierce, Tenn.	Wanger,
Corliss,	Howard,	Polk,	Watson,
Cousins,	Hull,	Prince,	Weymouth,
Cox,	Jett,	Ransdell,	Wheeler,
Crump,	Kerr, Ohio,	Reeves,	Wilson, Idaho.
Crumpacker,	Ketcham,	Riordan,	Wright.
Cummings,	Landis,	Robertson, La.	

So the motion to adjourn was rejected.
The Clerk announced the following pairs:
Until further notice:

Mr. GARDNER of Michigan with Mr. SCUDDER.
Mr. CUSHMAN with Mr. STALLINGS.
Mr. McCLEARY with Mr. POLK.
Mr. LANDIS with Mr. DRIGGS.
Mr. COUSINS with Mr. UNDERHILL.
Mr. CLARKE of New Hampshire with Mr. FLEMING.
Mr. CAPRON with Mr. SMITH of Kentucky.
Mr. BROWN with Mr. WILSON of Idaho.
Mr. GARDNER of New Jersey with Mr. GLYNN.
Mr. RODENBERG with Mr. GAYLE.
Mr. DICK with Mr. DAVEY.
Mr. THROPP with Mr. BREWER.
Mr. PEARCE of Missouri with Mr. RANDELL.
Mr. GILL with Mr. BELLAMY.
Mr. DAYTON with Mr. MEYER of Louisiana.
Mr. VAN VOORHIS with Mr. STOKES.
Mr. TOMPKINS with Mr. CLAYTON of Alabama.
Mr. OVERSTREET with Mr. ROBERTSON of Louisiana.
Mr. TAWNEY with Mr. SULZER.
Mr. MESICK with Mr. LENTZ.
Mr. BOUTELL of Illinois with Mr. GRIGGS.
Mr. HAUGEN with Mr. ROBINSON of Nebraska.
Mr. COCHRANE of New York with Mr. SHACKLEFORD.
Mr. FORDNEY with Mr. CARMACK.
Mr. CRUMP with Mr. FITZGERALD of Massachusetts.
Mr. STEWART of New York with Mr. FITZGERALD of New York.
Mr. BABCOCK with Mr. BAILEY of Texas.
Mr. BARNEY with Mr. DE GRAFFENREID.
Mr. COOPER of Wisconsin with Mr. ALLEN of Mississippi.
Mr. HITT with Mr. CHANLER.
Mr. DRISCOLL with Mr. RUPPERT.
Mr. MARSH with Mr. BRANTLEY.
Mr. SHERMAN with Mr. HENRY of Texas.
Mr. MAHON with Mr. OTEY.
Mr. BURKE of South Dakota with Mr. NAPHEN.
Mr. CANNON with Mr. McRAE.
Mr. WEYMOUTH with Mr. COONEY.
Mr. HULL with Mr. BROUSSARD.
Mr. SPALDING with Mr. TALBERT.
Mr. METCALF with Mr. WHEELER.
Mr. KETCHAM with Mr. MULLER.
Mr. WRIGHT with Mr. HALL.
Mr. BULL with Mr. NOONAN.
Mr. MERCER with Mr. THOMAS of North Carolina.
Mr. FREER with Mr. CUSACK.
Mr. LANE with Mr. PIERCE of Tennessee.
Mr. GAMBLE with Mr. CAMPBELL.
Mr. BARTHOLDT with Mr. JETT.
Mr. WANGER with Mr. BARTLETT.
Mr. ACHESON with Mr. NEVILLE.
Mr. SULLOWAY with Mr. THAYER.
Mr. FARIS with Mr. BARBER.
Mr. REEVES with Mr. COCHRAN of Missouri.
Mr. SAMUEL W. SMITH with Mr. LEVY.
Mr. WM. ALDEN SMITH with Mr. MEEKISON.
Mr. LITTAUER with Mr. CLAYTON of New York.
Mr. WATSON with Mr. NORTON of Ohio.
Mr. SMITH of Iowa with Mr. MAY.

For the session:

Mr. MORRELL with Mr. GREEN of Pennsylvania.

Until January 16:

Mr. RAY of New York with Mr. TERRY.

Until January 7:

Mr. STEWART of Wisconsin with Mr. NORTON of South Carolina.

Mr. PHILLIPS with Mr. BREAZEALE.

Until January 6:

Mr. CORLISS with Mr. HOWARD.

Until January 4:

Mr. HENRY of Connecticut with Mr. ALLEN of Kentucky.

Mr. BAILEY of Kansas with Mr. RIDGELY.

For this day:

Mr. OTJEN with Mr. CUMMINGS.

Mr. SHELDEN with Mr. FOSTER.

Mr. FOWLER with Mr. McDOWELL.

On this vote:

Mr. DOVENER with Mr. LATIMER.

Mr. MILLER with Mr. RIORDAN.

Until 2 o'clock this day:

Mr. HILL with Mr. BERRY.

The result of the vote was announced as above recorded.

Mr. OLMSTED. Mr. Speaker—

Mr. UNDERWOOD. Mr. Speaker, a parliamentary inquiry.

Is the vote by which the question of consideration was raised yesterday the business before the House?

The SPEAKER pro tempore. The question now is on the order of the House ordering the yeas and nays on the motion on the question of consideration. The yeas and nays are already ordered, and if the gentleman from Pennsylvania [Mr. OLMSTED] calls up that business, that is the regular order.

Mr. OLMSTED. As I understand it, the regular order is the calling of the yeas and nays on the question of consideration raised by the gentleman from Alabama.

The SPEAKER pro tempore. That is the regular order now.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to ask if the gentleman will not now consent that this resolution be committed to the Committee on the Census. I make that request.

In order to save time, I offer that. Instead of calling the yeas and nays, which have been ordered on the question of consideration, I ask that the resolution be committed to the proper committee, the Committee on Census.

Mr. OLMSTED. When the House has voted to consider this resolution, then I will consider a suggestion of that kind. I may say that it had been my intention at the proper time—at least I had seriously thought of offering such a resolution; but I prefer that the yeas and nays be taken on the question of consideration.

Mr. RICHARDSON of Tennessee. Then I submit to my distinguished friend that it will take forty-five minutes of valuable time to take the yeas and nays on the question of consideration.

Mr. OLMSTED. I think that this side of the House can take all the responsibility that it will be called upon to bear for time wasted in this matter.

Mr. RICHARDSON of Tennessee. Very good; then I hope the gentleman will not intimate that there is any desire to waste time on this side. We are ready to go on with the public business.

Mr. OLMSTED. I have made no such suggestion; but if the shoe fits anybody, he can wear it.

The SPEAKER pro tempore. The question is on considering the resolution offered by the gentleman from Pennsylvania, on which the yeas and nays have been ordered. The Clerk will call the roll.

The question was taken: and there were—yeas 104, nays 91, answered "present" 10, not voting 150; as follows:

YEAS—104

Adams,	Emerson,	Kerr, Ohio	Pugh,
Aldrich,	Esch,	Knox,	Reeder,
Alexander,	Fletcher,	Lacey,	Russell,
Allen, Me.	Foss,	Lawrence,	Ryan, Pa.
Barham,	Gibson,	Linney,	Shattuc,
Bingham,	Gillet, N. Y.	Littlefield,	Shaw,
Bishop,	Gillett, Mass.	Long,	Showalter,
Boreing,	Graft,	Loud,	Smith, Ill.
Bowersock,	Graham,	Lovering,	Smith, H. C.
Brick,	Greene, Mass.	McCall,	Southard,
Bromwell,	Grosvenor,	Mann,	Sperry,
Brownlow,	Grout,	Miller,	Sprague,
Bull,	Grow,	Minor,	Steele,
Burkett,	Hamilton,	Mondell,	Stewart, N. J.
Burleigh,	Hedge,	Moody, Mass.	Taylor, Ohio
Calderhead,	Hemenway,	Moody, Oreg.	Thomas, Iowa
Capron,	Hepburn,	Morris,	Thropp,
Connell,	Hoffecker,	Mudd,	Vreeland,
Conner,	Hopkins,	O'Grady,	Wachter,
Cromer,	Howell,	Olmsted,	Wadsworth,
Curtis,	Jack,	Packer, Pa.	Warner,
Dalzell,	Jenkins,	Parker, N. J.	Weaver,
Davenport, S. A.	Jones, Wash.	Payne,	Weeks,
Davidson,	Joy,	Pearson,	White,
Dovener,	Kahn,	Pearre,	Woods,
Eddy,	Kerr, Md.	Powers,	Young.

NAYS—91

Adamson,	Finley,	Lloyd,	Sheppard,
Atwater,	Fleming,	McAleer,	Sibley,
Ball,	Fox,	McClellan,	Slayden,
Bankhead,	Gaines,	McCulloch,	Small,
Bell,	Gilbert,	McDermott,	Snodgrass,
Benton,	Gordon,	McLain,	Sparkman,
Brenner,	Griffith,	Maddox,	Spight,
Brewer,	Hay,	Meekison,	Stark,
Brundidge,	Henry, Miss.	Miers, Ind.	Stephens, Tex.
Burke, Tex.	Johnston,	Moon,	Sutherland,
Burleson,	Jones, Va.	Newlands,	Swanson,
Burnett,	King,	Polk,	Taylor, Ala.
Caldwell,	Kitchin,	Quarles,	Turner,
Catchings,	Kleberg,	Rhea, Ky.	Underwood,
Clark, Mo.	Kluttz,	Richardson, Ala.	Vandiver,
Cooper, Tex.	Lamb,	Richardson, Tenn.	Williams, J. R.
Cowherd,	Lanham,	Rixey,	Williams, W. E.
Crowley,	Lassiter,	Robb,	Williams, Miss.
Davenport, S. W.	Latimer,	Robinson, Ind.	Wilson, N. Y.
Davis,	Lester,	Rucker,	Wilson, S. C.
De Armond,	Lewis,	Ryan, N. Y.	Zenor,
Dougherty,	Little,	Salmon,	Ziegler.
Elliott,	Livingston,	Shafroth,	

ANSWERED "PRESENT"—10.

Allen, Ky.	Breazeale,	Napfen,	Roberts.
Bellamy,	Mahon,	Ray, N. Y.	
Boutell, Ill.	Metcalfe,	Ridgely,	

NOT VOTING—150.

Acheson,	Cushman,	Ketcham,	Rodenberg,
Allen, Miss.	Dahle,	Landis,	Ruppert,
Babcock,	Davey,	Lane,	Scudder,
Bailey, Kans.	Dayton,	Lentz,	Shackleford,
Bailey, Tex.	De Graffenreid,	Levy,	Shelden,
Baker,	Denny,	Littauer,	Sherman,
Barber,	Dick,	Lorimer,	Sims,
Barney,	Dinsmore,	Loudenslager,	Smith, Iowa
Bartholdt,	Driggs,	Lybrand,	Smith, Ky.
Bartlett,	Driscoll,	McCleary,	Smith, Samuel W.
Berry,	Faris,	McDowell,	Spalding,
Boutelle, Ma.	Fitzgerald, Mass.	McRae,	Smith, Wm. Alden
Bradley,	Fitzgerald, N. Y.	Marsh,	Stallings,
Brantley,	Fitzpatrick,	May,	Stevens, Minn.
Brosius,	Fordney,	Mercer,	Stewart, N. Y.
Broussard,	Foster,	Mesick,	Stewart, Wis.
Brown,	Fowler,	Meyer, La.	Stokes,
Burke, S. Dak.	Freer,	Morgan,	Sulloway,
Burton,	Gamble,	Morrell,	Sulzer,
Butler,	Gardner, Mich.	Muller,	Talbert,
Campbell,	Gaston,	Needham,	Tate,
Cannon,	Gayle,	Neville,	Tawney,
Carmack,	Gill,	Noonan,	Terry,
Chanler,	Glynn,	Norton, Ohio	Thayer,
Clarke, N. H.	Green, Pa.	Norton, S. C.	Thomas, N. C.
Clayton, Ala.	Griggs,	Otey,	Tompkins,
Clayton, N. Y.	Hall,	Otjen,	Tongue,
Cochran, Mo.	Haugen,	Overstreet,	Underhill,
Cochrane, N. Y.	Hawley,	Pearce, Mo.	Van Voorhis,
Cooney,	Heatwole,	Pierce, Tenn.	Wanger,
Cooper, Wis.	Henry, Conn.	Phillips,	Waters,
Corliss,	Henry, Tex.	Prince,	Watson,
Cousins,	Hill,	Ransdell,	Weymouth,
Cox,	Hitt,	Reeves,	Wheeler,
Crump,	Howard,	Rhea, Va.	Wilson, Idaho
Crumpacker,	Hull,	Riordan,	Wright.
Cummings,	Jett,	Robertson, La.	
Cusack,		Robinson, Nebr.	

The following additional pairs were announced:

Mr. ROBERTS with Mr. NAPHEN, on the Olmsted resolution.

On this vote:

Mr. DAHLE with Mr. SIMS.

Mr. HEATWOLE with Mr. TATE.

Mr. NEEDHAM with Mr. RIORDAN.

The result of the vote was then announced as above recorded.

Mr. OLMSTED. Mr. Speaker, on this resolution I demand the previous question until its final passage.

Mr. RICHARDSON of Tennessee. I move to commit the resolution to the Committee on the Census.

Mr. OLMSTED. I make the point of order that that motion is not in order.

The SPEAKER pro tempore. The motion of the gentleman from Tennessee, in the opinion of the Chair, is not in order, the demand for the previous question having precedence. The Clerk will read the rule.

The Clerk read as follows:

When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question (which motions shall be decided without debate), to postpone to a day certain, to refer, or to amend, or postpone indefinitely; which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

The SPEAKER pro tempore. The question is on the demand of the gentleman from Pennsylvania for the previous question.

Mr. UNDERWOOD. I move to postpone the consideration indefinitely.

The SPEAKER pro tempore. The gentleman's motion is not in order.

The question was taken on ordering the previous question, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. UNDERWOOD. Division.

The House divided; and there were—ayes 64, noes 72.

Mr. OLMSTED. I demand the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

Mr. RICHARDSON of Tennessee. Pending that demand, I move that the resolution be laid on the table.

Mr. PAYNE. But the question is being taken on the demand for the previous question—

Mr. RICHARDSON of Tennessee. It takes precedence over the demand for the previous question.

Mr. PAYNE. And the yeas and nays have been ordered.

The SPEAKER pro tempore. The House has already ordered the yeas and nays on the motion of the gentleman from Pennsylvania for the previous question, and the motion of the gentleman from Tennessee is not in order. The Clerk will call the roll.

The question was taken; and there were—yeas 103, nays 98, answered "present" 10, not voting 144; as follows:

YEAS—103.

Adams,	Bishop,	Bull,	Cousins,
Aldrich,	Boreing,	Burkett,	Cromer,
Alexander,	Bowersock,	Calderhead,	Curtis,
Allen, Me.	Brick,	Capron,	Dalzell,
Barham,	Bromwell,	Connell,	Davenport, S. A.
Bingham,	Brownlow,	Conner,	Davidson,

Dovener,	Jenkins,	Moody, Mass.	Southard,
Eddy,	Jones, Wash.	Moody, Oreg.	Sperry,
Emerson,	Joy,	Morris,	Sprague,
Esch,	Kahn,	Mudd,	Steele,
Fletcher,	Kerr, Md.	O'Grady,	Stewart, N. J.
Foss,	Kerr, Ohio.	Olmsted,	Taylor, Ohio
Gibson,	Knox,	Packer, Pa.	Thomas, Iowa
Gillet, N. Y.	Lacey,	Parker, N. J.	Thropp,
Graft,	Lawrence,	Payne,	Tongue,
Graham,	Linney,	Pearson,	Vreeland,
Greene, Mass.	Littlefield,	Pearre,	Wachter,
Grosvenor,	Long,	Powers,	Wadsworth,
Grow,	Loud,	Prince,	Warner,
Hamilton,	Loudenslager,	Reeder,	Waters,
Hedge,	Lovering,	Russell,	Weaver,
Hepburn,	McCall,	Shattuc,	Weeks,
Hill,	Mann,	Shaw,	White,
Hoffecker,	Miller,	Showalter,	Woods,
Howell,	Minor,	Smith, Ill.	Young.
Jack,	Mondell,	Smith, H. C.	

NAYS—98.

Adamson,	Elliott,	Lloyd,	Shafroth,
Atwater,	Finley,	McAleer,	Sheppard,
Ball,	Fitzpatrick,	McClellan,	Sims,
Bell,	Fleming,	McCulloch,	Slayden,
Benton,	Fox,	McDermott,	Small,
Berry,	Gaines,	McLain,	Snodgrass,
Brenner,	Gaston,	Maddox,	Sparkman,
Brewer,	Gordon,	Meekison,	Spight,
Broussard,	Griffith,	Miers, Ind.	Stark,
Brundidge,	Hay,	Moore,	Stephens, Tex.
Burke, Tex.	Henry, Miss.	Newlands,	Swanson,
Burleson,	Johnston,	Norton, Ohio.	Tate,
Burnett,	Jones, Va.	Polk,	Taylor, Ala.
Caldwell,	King,	Quarles,	Turner,
Clark, Mo.	Kitchin,	Rhea, Ky.	Underwood,
Cochran, Mo.	Kleberg,	Rhea, Va.	Vandiver,
Cooper, Tex.	Kluttz,	Richardson, Ala.	Williams, J. R.
Cowherd,	Lamb,	Richardson, Tenn.	Williams, W. E.
Crowley,	Lanham,	Rixey,	Williams, Miss.
Davenport, S. W.	Lassiter,	Robb,	Wilson, N. Y.
Davis,	Latimer,	Robinson, Ind.	Wilson, S. C.
De Armond,	Lester,	Rucker,	Zenor,
Denny,	Lewis,	Ryan, N. Y.	Ziegler.
Dinsmore,	Little,	Ryan, Pa.	
Dougherty,	Livingston,	Salmon,	

ANSWERED "PRESENT"—10.

Allen, Ky.	Dayton,	Metcalf,	Roberts.
Boutell, Ill.	Green, Pa.	Ray, N. Y.	
Breezeale,	Mahon,	Ridgely,	

NOT VOTING—144.

Acheson,	Cummings,	Hull,	Robertson, La.
Allen, Miss.	Cusack,	Jett,	Robinson, Nebr.
Babcock,	Cushman,	Ketcham,	Rodenberg,
Bailey, Kans.	Dahle,	Landis,	Ruppert,
Bailey, Tex.	Davey,	Lane,	Scudder,
Baker,	De Graffenreid,	Lentz,	Shackleford,
Bankhead,	Dick,	Levy,	Shelden,
Barber,	Driggs,	Littauer,	Sherman,
Barney,	Driscoll,	Lorimer,	Sibley,
Bartholdt,	Faris,	Lybrand,	Smith, Iowa.
Bartlett,	Fitzgerald, Mass.	McCleary,	Smith, Ky.
Bellamy,	Fitzgerald, N. Y.	McDowell,	Smith, Samuel W.
Boutelle, Me.	Fordney,	McRae,	Smith, Wm. Alden
Bradley,	Foster,	Marsh,	Spalding,
Brantley,	Fowler,	May,	Stallings,
Brosius,	Freer,	Mercer,	Stevens, Minn.
Brown,	Gamble,	Mesick,	Stewart, N. Y.
Burke, S. Dak.	Gardner, Mich.	Meyer, La.	Stewart, Wis.
Burleigh,	Gardner, N. J.	Morgan,	Stokes,
Burton,	Gayle,	Morrell,	Sulloway,
Butler,	Gilbert,	Muller,	Sulzer,
Campbell,	Gill,	Naphe,	Sutherland,
Cannon,	Gillett, Mass.	Needham,	Talbert,
Carmack,	Glynn,	Neville,	Tawney,
Catchings,	Griggs,	Noonan,	Terry,
Chanler,	Grout,	Norton, S. C.	Thayer,
Clarke, N. H.	Hall,	Otey,	Thomas, N. C.
Clayton, Ala.	Haugen,	Otjen,	Tompkins,
Clayton, N. Y.	Hawley,	Overstreet,	Underhill,
Cochrane, N. Y.	Heatwole,	Pearce, Mo.	Van Voorhis,
Cooney,	Hemenway,	Pierce, Tenn.	Wanger,
Cooper, Wis.	Henry, Conn.	Phillips,	Watson,
Corliss,	Henry, Tex.	Pugh,	Weymouth,
Cox,	Hitt,	Ransdell,	Wheeler,
Crump,	Hopkins,	Reeves,	Wilson, Idaho
Crumpacker,	Howard,	Riordan,	Wright.

Mr. TAYLOR of Alabama. Mr. Speaker, I was present at the first call, but did not hear my name.

The SPEAKER pro tempore. Was the gentleman present and listening for his name when it should have been called, but did not hear it?

Mr. TAYLOR of Alabama. Yes, sir.

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

The name of Mr. TAYLOR of Alabama was called, and he voted "no," as above recorded.

Mr. GROW. Mr. Speaker, I was present in my seat, but did not hear my name called.

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

Mr. Grow's name was called, and he voted "aye," as above recorded.

The following additional pairs were announced:

Until further notice:

Mr. BURLEIGH with Mr. NOONAN.

Mr. HULL with Mr. GILBERT.

Mr. GROUT with Mr. BRADLEY.

On this vote:

Mr. HEATWOLE with Mr. CATCHINGS.

The SPEAKER pro tempore. The vote is very close, and the Chair prefers to have a recapitulation.

The Clerk recapitulated the vote.

Mr. PEARSON. Mr. Speaker, having reason to believe that this resolution will be referred to the Committee on Census, and that ample opportunity will be given for debate. I change my vote from "no" to "aye."

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

The Clerk called Mr. PEARSON'S name, and he voted "aye," as above recorded.

The vote was then announced as above recorded.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for twenty minutes.

Mr. OLMSTED. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. SHATTUC].

Mr. SHATTUC. Mr. Speaker, it has been my intention to deliver some remarks on the fourteenth amendment, but as it would take about three-quarters of an hour, and I have only five minutes' time, I can not express myself in the allotted time. It was my intention to offer an original proposition or resolution on its own merits. I will have it read from the Clerk's desk and let it go as a substitute for the pending resolution to the Committee on Census by agreement with my distinguished friend from Pennsylvania [Mr. OLMSTED]. If I can get the time before the Committee of the Whole House when it is considering the census bill, I will make some observations in regard to the duty of the House as to reapportionment under the fourteenth amendment.

Mr. RICHARDSON of Tennessee. I understand the gentleman from Ohio [Mr. SHATTUC] has this read in his own time.

The SPEAKER pro tempore. Yes; for the information of the House.

The Clerk read as follows:

Whereas the continued enjoyment of full representation in this House by any State which has, for reasons other than participation in rebellion or other crime, denied to any of the male inhabitants thereof, being 21 years of age and citizens of the United States, the right to vote for Representatives in Congress, Presidential electors, and other specified officers, is in direct violation of the fourteenth amendment to the Constitution of the United States, which declares that in such case "the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State," and is an invasion of the rights and dignity of this House and of its members, and an infringement upon the rights and privileges in this House of other States and their representatives; and

Whereas the States of Massachusetts, Maine, Connecticut, Delaware, California, Louisiana, Mississippi, North Carolina, South Carolina, Wyoming, Oregon, and other States do, by the provisions of the constitutions and statutes of said States, and for reasons other than participation in rebellion or other crime, deny the right to vote for members of Congress and Presidential electors, as well as the executive and judicial officers of such States and members of the legislatures thereof, to male inhabitants 21 years of age and over and citizens of the United States; and such denial in certain of the said States extends to more than one-half of those who prior to the last apportionment of representation were entitled to vote in such States; and

Whereas in order that the apportionment of membership of the House of Representatives may be determined in a constitutional manner: Therefore, be it

Resolved by the House of Representatives, That the Director of the Census is hereby directed to furnish this House, at the earliest possible moment, the following information:

First. The total number of male citizens of the United States over 21 years of age in each of the several States of the Union.

Second. The total number of male citizens of the United States over 21 years of age who, by reason of State constitutional limitations or State legislation, are denied the right of suffrage, whether such denial exists on account of illiteracy, on account of pauperism, on account of polygamy, or on account of property qualifications, or for any other reason.

Resolved further, That the Speaker of the House of Representatives is hereby authorized and directed to appoint a select committee of five members from the membership of the Census Committee of the House of Representatives, who shall investigate the question of the alleged abridgment of the elective franchise for any of the causes mentioned in all the States of the Union in which constitutional or legislative restrictions on the right of suffrage are claimed to exist, and that such committee report its findings within twenty days from the date of the adoption of this resolution to the said Census Committee, and that within one week after the said report shall have been received by the Census Committee the Census Committee shall return a bill to the House of Representatives providing for the apportionment of the membership of the House of Representatives based on the provisions of the fourteenth amendment to the Constitution of the United States.

Mr. OLMSTED. Mr. Speaker, I desire to say in reference to this resolution and in answer to some suggestions that have been made, that it was offered by me not in antagonism to nor in favor of any of the pending reapportionment bills, but entirely, as I conceive, from a constitutional standpoint. It is not aimed at any particular State. While I have mentioned two or three States in the preamble, in order to lay the foundation for the resolution, the resolution itself is general. It is the plain meaning of the Constitution, the plain language of the Constitution, so plain that

there can be no possible difference of opinion as to its construction, that where a part of the male inhabitants of the State, 21 years old and citizens of the United States, are denied the right of suffrage, the right of representation in that State shall be reduced accordingly.

Mr. PEARSON. Will the gentleman from Pennsylvania allow me a question?

Mr. OLMSTED. Certainly.

Mr. PEARSON. Is it the opinion of the gentleman from Pennsylvania that this information can be had in time for action by this Congress?

Mr. OLMSTED. I have no doubt that it can. It is not the intention of this resolution to institute any investigation of the elections in any State, but simply to ascertain in what States the right of suffrage is denied, so as to fall within the provision of the Constitution of the United States which requires a reduction in the basis of representation.

Mr. McDERMOTT. Will the gentleman allow me a question?

Mr. OLMSTED. As soon as I have answered the question of the gentleman from North Carolina [Mr. PEARSON] I shall be glad to yield to the gentleman from New Jersey.

I imagine that by consulting the suffrage articles in the constitutions of the various States and by ascertaining what denials of suffrage there are to any male citizens 21 years of age, and then by consulting the Director of the Census to ascertain how many such citizens there are in any given State, approximate, indeed very reliable, data can be obtained for the use of this House, and in a very short time.

Mr. PEARSON. Will the gentleman pardon one further suggestion? I have called at the Census Bureau and have asked both Mr. Hunt and Mr. Stone whether these figures would be available within the next ninety days, and they said no.

Mr. OLMSTED. Well, then, it might be that the committee could not report in time for the pending apportionment bill; but whenever they do report it will be proper to act upon the information.

Mr. GROSVENOR. I would like to ask the gentleman from Pennsylvania one question.

Mr. OLMSTED. Certainly; but I have promised to yield next to the gentleman from New York [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Speaker, as I understand, the Constitution provides that the apportionment of representation in this House shall be made upon the basis of those voters who have these qualifications: That they are citizens of the United States; that they are citizens of the State wherein they vote; that they are males 21 years old; and it is further provided that the representation of any State in this House shall be curtailed in accordance with the number of persons having these qualifications who are denied the right to vote. Now, I ask the gentleman if there is any State in this Union where a man is entitled to vote merely upon probate of the fact that he is 21 years old, that he is a citizen of the United States, a citizen of the State where he claims the right to vote, and that he has not been convicted of crime? Is there any State in this Union in which there are not additional qualifications required when the voter presents himself at the ballot box to exercise the elective franchise?

Mr. PEARSON. In North Carolina there are about ten more requirements.

Mr. GROSVENOR. In that connection I want to ask—

Mr. OLMSTED. In answer to the gentleman who has just taken his seat [Mr. McDERMOTT], allow me to say that it is the object of this resolution to inquire into that very subject.

Mr. GROSVENOR. The question I want to ask is whether it is possible through any agency to obtain an answer to these interrogatories. In Ohio it is requisite for a person desiring to vote, if he is the head of a family, to have resided in the State one year and in the county thirty days; while if he is an unmarried person he must have resided one year in the State, thirty days in the county, and twenty days in the ward or precinct in which he offers to vote. Now, is there any way to ascertain how many men were by those provisions of law disfranchised in the Presidential election of last fall?

Mr. OLMSTED. It will be perhaps one of the duties of this committee to ascertain that.

Mr. GROSVENOR. But can it be done? Many men stay at home on election day.

Mr. PEARSON. Could not the resolution be amended in such a way as to confine the inquiries to matters possible of ascertainment?

Mr. OLMSTED. If gentlemen will excuse me, I do not wish to use up all my time in answering these interrogatories.

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. Ten minutes.

Mr. OLMSTED. The committee will undoubtedly find that there are certain qualifications required by all the States. So far as the required qualifications are common to all the States, that

matter will of course make no difference in the representation in this House; but where there are special restrictions, existing in some States and not in others, I have no doubt that it is the duty of Congress to inquire how far such restrictions exist and to put into operation the provisions of the Constitution applicable in such cases.

Take, for instance, the State of Mississippi. I mention it, not because I have any particular feeling in reference to that State, but simply because I am more familiar with the provisions of its constitution than with the constitutional provisions of other States. Mississippi came back to representation in this House in 1870 under an act of Congress which approved its then existing constitution and imposed a condition that suffrage should not be to any greater extent restricted in that State. Some twenty years later Mississippi adopted a new constitution which, as appears upon its face, cuts out from the right of voting those unable to read or interpret the Constitution, a part of which is written in Latin. Now, it is contended on behalf of the State of Mississippi that the act of Congress of 1870 imposing those conditions was unconstitutional. But if the State of Mississippi invokes the Constitution to enable it to deny suffrage, why should not the plain mandate of the Constitution be enforced so as to reduce representation to the extent that suffrage is thus denied?

It is the plain intention of the Constitution that where there is a large wholesale restriction in the right of suffrage those people who are permitted to vote shall not have the force and influence of their votes augmented by permitting them to elect more members of Congress and more Presidential electors than the same number of people in any other State, and it is simply to enable us to ascertain the facts, if possible, that this resolution is offered. Of course, if the committee can not ascertain facts to enable this House to act, then nothing comes of it; but if the data can be had to enable us to carry out the obligation of the Constitution upon us, then this report will disclose that fact, and it will be for the House to consider what action is necessary to be taken.

Now, Mr. Speaker, I desire to reserve the balance of my time.

Mr. RICHARDSON of Tennessee. How much time has the gentleman consumed, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. OLMSTED] has seven minutes remaining.

Mr. RICHARDSON of Tennessee. I yield five minutes to the gentleman from Alabama [Mr. UNDERWOOD].

The SPEAKER pro tempore. The gentleman from Alabama is recognized for five minutes.

Mr. UNDERWOOD. Mr. Speaker, in five minutes the issues involved in this case can not be discussed. I was in hopes that this question would not come up at this session of Congress. When the fourteenth amendment was originally adopted, it was the intention of the legislative body that enacted it and of the people who ratified it to force the Southern people to give the elective franchise to the negro. That was the real purpose of the fourteenth amendment. It failed in that purpose. The fifteenth amendment was adopted for the same purpose. That was successful for the time being. It has proved a lamentable mistake, not only to the people of the South, but to the people of the North; not only to the Democratic party, but to the Republican party.

The time has now come when the bitterness of civil strife has passed. The people of the South, with fairness and justice to themselves and fairness to that race that has been forced among them—the negro race—are attempting to work away from those conditions; not to oppress or to put their foot on the neck of the negro race, but to protect their homes and their property against misgovernment and at the same time give this inferior race a chance to grow up and acquire their civilization. When you bring this resolution before this House and thrust it as a firebrand into the legislation here, you do more injury to the negro race of the South than any man has done since the fifteenth amendment was originally enacted. I tell you, sirs, there is but one way to solve this problem. You gentlemen of the North, who do not live among them and do not know the conditions, can not solve it. We of the South are trying, as God is our judge, to solve it fairly to both races. It cannot be done in a day or a week; and I appeal to you, if you are in favor of the upbuilding of the negro race; if you are in favor of honest governments in the Southern States; if you are willing to let us protect our homes and our property—yes, and the investments that you have brought there among us—then I say to you let us send this resolution to a committee where it may die and never be heard of again. When we have done that, when we have worked out the problem and put it upon a fair basis, then, if we are getting more representation than we are entitled to, five or six or ten years from now—

Mr. OLMSTED. Will you permit a question?

Mr. UNDERWOOD. Just one moment, when I finish. Then in six or ten years from now come to us with the proposition fairly to repeal both the fourteenth and fifteenth amendments and substitute in their place a constitutional amendment that will put

representation on a basis that we can all agree is fair and equitable. Do not let us drive it along party lines. Let party lines be eliminated. Let us see what we have got to do in the South first. It is not going to hurt you to-day.

[Here the hammer fell.]

Mr. RICHARDSON of Tennessee. I yield five minutes to the gentleman from New Jersey [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Speaker, the objection is raised to this resolution that it will be impossible to obtain a comprehensible report under it. That is true. It provides that the committee shall investigate and report in what States certain conditions exist. Now, that does not make it incumbent upon the committee to examine the conditions in every State that regulates the use of the suffrage. The proposition should rather be a negative than an affirmative one, and the resolution which I hold in my hand, as a substitute, would, in my opinion, reach the heart of the matter and enable an intelligent report to be presented to this House. There is not a State in this Union that has not added to or subtracted from the Federal constitutional requirements—not one. Take the State of Pennsylvania, represented in part by the introducer of this resolution.

The constitution of that State, Article VIII, section 1, provides that—

Every male citizen 21 years of age, possessing the following qualifications, shall be entitled to vote at all elections:

First. He shall have been a citizen of the United States at least one month.

That is more than being 21 years old and a citizen of the State and of the United States.

Second. He shall have resided in the State one year (or if, having previously been a qualified elector or native-born citizen of the State, he shall have removed therefrom and returned, then six months) immediately preceding the election.

That is another qualification. It is not a matter of police regulation, but a constitutional inhibition against him who has not the qualification. What next?

Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth. If 22 years of age or upward, he shall have paid within two years a State or county tax, which shall have been assessed at least two months, and paid at least one month, before the election.

This is the provision under the constitution of 1873. There may have been amendments adopted since. There may have been a revision of the constitution, but that constitution was adopted after the fourteenth and fifteenth amendments had been made to the Federal Constitution.

So in every State in this Union there are either additions to or subtractions from the Federal constitutional requirements that must precede the right to vote. I think the work of the committee can be simplified therefore by this proposition, which, after the vote is taken on this resolution, I shall, if the resolution is adopted, offer as a privileged resolution:

Resolved, That said Committee on the Twelfth Census shall report in what States citizens are allowed to vote at all elections for Presidential electors and for members of the legislatures of such States upon the only qualifications that such citizens are 21 years of age and male citizens of the State and of the United States.

Now, Mr. Speaker, if there is any addition, whether as a matter of police regulation or otherwise, to the constitutional amendments regulating the franchise and the resultant representation in this House—if there is addition or subtraction of one iota—then those who desire to live up to this Constitution, no matter whether they ruin their neighbors, no matter whether they again kindle the fires of sectional strife, those who in their love for the Constitution are so mentally rigid that they would demand its enforcement though they set the Union aflame, must include every State in this Union. Let the investigation be not in the line of sectional partisanship, but let it determine whether there is a State in the Union that lives up to this constitutional requirement. I venture to say, with some familiarity with this question, after some research as to the qualifications that the different States impose upon voters, that there is not a State in the Union that, under that constitutional amendment, is entitled to a single representative in the House. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. RICHARDSON of Tennessee. I yield five minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, it is not without significance that the preamble to this resolution selects three States in the Union and names them only as the States against which the resolution is ostensibly directed, and that these three are Southern States. It would have been easy for the gentleman who drew it up to have mentioned all the States in the Union which provide for an educational qualification, for a poll-tax qualification, or for other restrictions upon the suffrage not contemplated in the amendment to the Constitution of the United States. I can tell the gentleman that within the last two or three years a few men down South have been misled by the siren voice, and have begun

to believe that they could hope for justice and broad-minded non-partisanship from the Republican party. They have been warned that whenever power came in sufficient abundance the cloven hoof would come, too, and that they would see that the voice they were beginning to hear was but a siren voice, and that the Republican party would show itself to be still what it hitherto has always been politically—the black man's party in the South and the enemy of the white man, of his civilization, of his commerce, of his property, and of all that has made him what he is. It remains for the gentlemen on the other side to follow the leadership of the gentleman from Pennsylvania [Mr. OLMSTED] if they choose, and completely pluck from the eyes of those who have been partially deceived the veil which has been attempted to be thrown over them.

Now, Mr. Speaker, if there is anything that is more remarkable about this resolution than its evident sectional animus, it is its impracticability and its stupidity. For example, how would anybody find out how many people in the State of Mississippi were disfranchised for the reasons stated in this resolution? There is there an educational qualification. How are you to determine how many of the men in the State of Mississippi who did not vote, did not vote because they were disfranchised under the educational qualification? Then there is a qualification in extension and not in limitation of the suffrage, saying that even those who *can not read and write* may still vote, provided they can give an understanding interpretation of the Constitution or any part of it. How are you going to determine how many are disqualified by that? And then there is a qualification which says that those can not vote who shall not by a certain time have paid their poll tax.

Out of the number of people who did not vote, how are you going to determine which of them have not voted because of the educational qualification? Which because of the understanding qualification? Which because of the poll-tax qualification? Which because of the registration qualification? How many because of the pure Australian ballot which exists in the State of Mississippi? As the gentleman who preceded me [Mr. McDERMOTT] has well said but a moment ago, there is not a State in the Union which does not restrict manhood suffrage in some way or other. There is not a State in the Union which has the Australian ballot which by the very fact and the necessity of voting according to that Australian ballot does not prevent the citizen who can not read and write from voting if he votes a split ticket of any sort.

If it be the pure Australian ballot, as we have it in Mississippi, whether a man be allowed to vote when he can read or not, as a matter of fact he can not vote unless he can read, because he must read the names of those for whom he desires to vote, and he must put the mark opposite the name on the ticket.

Mr. CURTIS. Is he not assisted by the judge or clerk?

Mr. WILLIAMS of Mississippi. Not in Mississippi, unless he is blind or has lost an arm, or is otherwise physically unable.

Mr. CURTIS. In Kansas such voters are assisted.

Mr. WILLIAMS of Mississippi (continuing). In short, can not see to write or feel to write.

Mr. HENRY of Mississippi. My colleague will allow me. If he is disqualified by reason of any physical disability, then he is assisted.

Mr. WILLIAMS of Mississippi. If any physical disability renders it impossible for him to do the work required, he is assisted. That is the pure Australian ballot as it at first came here.

Now, a word as to the merits of this question. Any man who is a lover of the American Republic and who loves its civilization, who loves to see it go forward in the world as a great advance power, intellectually and otherwise, ought to be glad in his heart that we have resorted to constitutional and legal methods—methods adopted in Massachusetts, Connecticut, and other States in this Union—for the purpose of solving as best we could a great and troublesome, if not insoluble, problem. He ought to be glad to see intelligence in control of our destiny.

Mr. STEWART of New Jersey. Will the gentleman yield to me for a moment?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. My time has expired.

Mr. RICHARDSON of Tennessee. How much time is remaining?

The SPEAKER pro tempore. Five minutes.

Mr. RICHARDSON of Tennessee. I have yielded five minutes to the gentleman from North Carolina [Mr. KLUTTZ].

Mr. KLUTTZ. Mr. Speaker, coming from the good old State of North Carolina, one of the original thirteen, loyal as I believe myself to be, and as I know her people to be, to the flag that hangs behind the Speaker's desk, desiring only the greatness and glory of the whole country and the prosperity of all its people, for one I regret, with the gentlemen who have preceded me on this side of the House, that such a firebrand should have been thrown into legislation at this time. I regret that the opening days of the new century and the era of good feelings between all sections should be marred by this attempt to reopen sectional bitterness

for purely partisan effect. I want to add to what has been so well said by the gentleman from New Jersey [Mr. McDERMOTT], enforced by his reciting the constitutional requirements in Pennsylvania—that there is not a single State in this Union, North or South, East or West, Democratic or Republican, which limits the constitutional requirements for suffrage so as to conform to the language of the fourteenth amendment of the Constitution of the United States.

To live up to that amendment, "that no male inhabitant shall be deprived of suffrage except for participation in the rebellion or other crimes," the male inhabitant, I take it, is he who has acquired domicile in that State, and the moment that he acquires domicile, and is a male, he is a "male inhabitant" of that State, and entitled at once to suffrage; and yet every State in the Union, I believe without exception, has requirements as to residence not only in the State, but in the city, in the county, in the precinct and ward, and the voting place; and every one of those requirements, as every gentleman on that side must admit, are in direct conflict with and contravention of the fourteenth amendment to the Constitution of the United States literally construed.

I find that the States of Maine, Massachusetts, Connecticut, South Carolina, Mississippi, Louisiana, Colorado, and Wyoming all have an educational qualification in addition to the requirement for residence. I find that Rhode Island, Pennsylvania, Delaware, Georgia, Florida, Mississippi, and Tennessee have a provision requiring the payment of a tax; and I find that some of those States—Delaware, Maine, Massachusetts, Missouri, New Hampshire, and New Jersey—have qualifications which exclude paupers, men upon whom God has laid His hand, who are unable to pay a tax and are compelled to go to homes for the poor—that these men in these States are excluded from the suffrage. I find that in Rhode Island there is a property qualification. I find in Delaware that no man can vote unless he has paid a registration fee of \$1.

Mr. STEWART of New Jersey. Will the gentleman yield to me for a moment? I deny for New Jersey that she denies anyone the right of suffrage or denies that right to any American citizen.

Mr. KLUTTZ. New Jersey has a qualification, as I have stated.

Mr. McDERMOTT. I desire to correct my colleague from New Jersey. New Jersey does deny the right of any pauper to vote. [Applause on the Democratic side.]

Mr. STEWART of New Jersey. I deny the proposition, and ask the gentleman to produce the proof.

Mr. KLUTTZ. I decline to yield to the gentleman to make a speech in my time, but I shall insert in my remarks the provision of the constitution of New Jersey, kindly handed me by the gentleman from that State [Mr. McDERMOTT]. It is as follows:

ARTICLE II.

SECTION 1. And no pauper, idiot, or insane person * * * shall enjoy the right of an elector.

The gentleman from New Jersey [Mr. STEWART] is, I trust, answered.

Now, sir, I come from the State of North Carolina, where we are trying in good faith, in the fear of God, and with the desire to do justice to all our people, to work out the best interests of all races. I find that in North Carolina in the last election, where we have nine Congressional districts, there was an average of 32,555 votes in each district, showing that there was no suppression of the vote.

I find from the reports of the auditor of that State recently made that the total revenues of North Carolina for 1899 from all sources were \$3,064,460.52, and of this sum \$1,555,000, or more than one-half of it, was given to the cause of education, and that money was given pro rata with the whites to the education of the colored race at our doors, although they contributed but about 10 per cent of the taxes. I ask the majority to join us in frowning upon all such legislation as is proposed in this resolution. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. OLMSTED. Mr. Speaker, it will be observed that in the few remarks I made on the resolution I did not discuss the question of negro suffrage at all. That is one that has been raised on the other side of the Chamber.

Mr. WILLIAMS of Mississippi. We all know what you meant. [Laughter on the Democratic side.]

Mr. OLMSTED. It is the result of the guilty conscience, Mr. Speaker. It is a matter of surprise to me that the learned and distinguished gentlemen who occupied so much time of the House at the last session endeavoring to show that the Constitution follows into distant islands of the sea and wherever the flag goes should be unwilling that the Constitution should have an opportunity to do business at home. [Laughter on the Republican side.]

Why, in one of these States—South Carolina—there is a gentleman sitting here to-day who received 1,768 votes. There must have been some denial of suffrage to somebody. There are seven

members from Mississippi sitting here who received 22,365 votes, about the majority in my district this year.

Mr. WILLIAMS of Mississippi. Will the gentleman from Pennsylvania yield to me for a question?

Mr. OLMSTED. Yes.

Mr. WILLIAMS of Mississippi. Does the gentleman say that these are all the qualified voters in the State of Mississippi? Why, I have 20,000 Democratic white voters on my mailing list.

Mr. OLMSTED. That is the object of this resolution, to find out whether they are registered and qualified voters. What is the gentleman afraid of? [Laughter on the Republican side.]

Now, Mr. Speaker, I am not going to consume longer time upon this resolution. I find there are a large number of my friends on this side of the House who voted with me for the previous question, which, under the rule, limits debate to twenty minutes on either side, but nevertheless feel that they ought to have had an opportunity to discuss it at some length. Some of them claim to have been put in an embarrassing position by the failure to have an opportunity to discuss it. While I am not willing to accept the suggestion from the other side, to refer it to a committee, where it will die for the present and slumber forever afterwards, as the gentleman from Alabama expressed it [laughter], I am willing myself to move to refer it to the Committee on Census if the chairman of that committee, who is present here, will assure me that he will call his committee together for its consideration within a week.

Mr. HOPKINS. Mr. Speaker, I am not in the mood to-day to make any bargains with the gentleman from Pennsylvania, but I can say to him that the Committee on Census, up to date, has endeavored to discharge its duty with all business that has been referred to it; and I have no doubt that if this resolution is sent there the committee will act upon it as they have upon all other matters that in the regular course of business is assigned to that committee. [Laughter on the Democratic side.]

Mr. OLMSTED. I would like to have the gentleman go further and state that he will—I have no doubt that he will—call it up immediately. But, Mr. Speaker, with the assurance of the chairman of the Committee on Census that his committee is prompt in the discharge of business and that this will be called up at an early day, I move to refer this resolution to the Committee on Census.

The SPEAKER pro tempore. Has the gentleman closed his remarks?

Mr. OLMSTED. I have, and made the motion.

Mr. MAHON. I think, as this is a privileged resolution, the gentleman himself, if the committee does not act within ten days, will have the right to call it up.

Mr. RICHARDSON of Tennessee. I understand, Mr. Speaker, that debate is closed upon this question.

Mr. OLMSTED. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. OLMSTED. This being a privileged resolution, will it be within my power to call it up after seven days if the committee does not act upon it?

Mr. RICHARDSON of Tennessee. I hope the Chair will not answer questions which are merely going fishing. [Laughter.]

The SPEAKER pro tempore. I have no doubt the gentleman who occupies the chair when that time comes will decide that question. The question now is on referring to the Committee on Census the pending resolution.

The question was taken; and the motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 163. An act for the relief of Henry O. Morse.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby, authorized and directed to print and deliver to the Department of the Interior, for the use of the Commissioner of Pensions, 10,000 additional copies of the Annual Report of the Commissioner of Pensions for the fiscal year ended June 30, 1900.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is hereby requested to return to the House the bill (H. R. 2955) entitled "An act providing for the resurvey of township No. 8, of range No. 30 west, of the State of Nebraska," in order to correct an error whereby the bill has been enrolled as an act of the first instead of the second session of the Fifty-sixth Congress.

SENATE RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby, authorized and directed to print and

deliver to the Department of the Interior, for the use of the Commissioner of Pensions, 10,000 additional copies of the Annual Report of the Commissioner of Pensions for the fiscal year ended June 30, 1900—to the Committee on Printing.

REAPPORTIONMENT.

Mr. HOPKINS. Mr. Speaker, I desire, on behalf of the Committee on Census, to call up for present consideration House bill 12740; and I desire to say, Mr. Speaker, that I simply call it up to-day for the purpose of general debate, and if the bill is considered now I will not call the previous question until Monday, having general debate to-day and Saturday, and for such time on Monday as may be deemed proper, so that we can get a final vote on the bill some time before the adjournment of the House on that day.

The object of that is this: Thirty-six different State legislatures meet this month. By constitutional limitation the session of some of these legislatures will expire within sixty days. After this bill is considered in the House it must go to the Senate, where necessarily its consideration will take time, so that it is important not only to members of the Committee on the Census, but to every member of this House on either side, that an early consideration of the bill be had.

Many members of the House have not analyzed the three bills pending—the bill reported by the Committee on the Census, the bill reported by the gentleman from Maine [Mr. BURLEIGH], and the bill reported by the gentleman from Indiana [Mr. CRUMPACKER]. It is my purpose, if we take up the bill at the present time, to analyze these different bills, giving some facts and figures for the benefit of members who are not on the committee, so that they may better understand this question and may be prepared to vote intelligently, when the time shall come, on the several pending bills which will be pending upon the report of the committee and the amendments that will be proposed by the minority of the committee.

Mr. SWANSON. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. SWANSON. To see whether we can not have some kind of an understanding with the gentleman from Illinois [Mr. HOPKINS] as to the time when this bill shall be taken up; and if not, I wish to raise the question of consideration on the bill at this time.

The SPEAKER pro tempore. Does the gentleman from Virginia raise the question of consideration?

Mr. SWANSON. Yes, sir; I desire to raise that question.

Mr. HOPKINS. I trust, Mr. Speaker—

Mr. WILSON of South Carolina. Mr. Speaker, without any discourtesy to the gentleman from Virginia [Mr. SWANSON], allow me to say I noticed that the gentleman from Indiana [Mr. GRIFFITH] sought the floor; and I think it might assist us somewhat in reaching an agreement if that gentleman, a Democratic member of the committee, be accorded recognition by the Chair at this time.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. GRIFFITH] is recognized.

Mr. GRIFFITH. Mr. Speaker, in reply to the gentleman from Illinois [Mr. HOPKINS], allow me to say that I think it proper to take up this matter now; but I believe that if we should fix Monday for taking the vote it would not allow sufficient time for discussion. There is a very general desire on the part of members who favor what is known as the Hopkins bill, as well as those who favor what is called the Burleigh bill, to discuss both features of this question. I am satisfied that if the previous question should be called on Monday a great many who desire to be heard and who wish to advance special reasons in favor of certain measures would not have the opportunity to do so. I therefore suggest that the vote be taken, say, on Wednesday next at 1 o'clock; that the previous question be considered as ordered for that time.

Mr. HOPKINS. Mr. Speaker, that would allow five days for discussion.

A MEMBER. Four days.

Mr. HOPKINS. Allow me to say that of course this bill will be under the control of the House at every stage of its consideration from the moment it is taken up till the time that some bill on the subject passes this House. Let me say to the gentleman from Indiana that it is not my purpose to ask for the previous question until some time on Monday—at what hour I am not able at the present time to state. It is not my purpose, however, to cut off any member who may have anything to present that will enlighten the House as to the proper ratio to be adopted, or upon any other provision that may be contained in the bill. I think it will be better, in the interest of legislation, that we proceed in the manner I have already indicated. It may be that by this time on Monday afternoon all members will be satisfied that we shall take a vote some time during that afternoon. If, however, it should be found that we can not do that, the matter will be absolutely under the control of the House.

Mr. GRIFFITH. I suggest to the gentleman that, as a matter of compromise, we fix Tuesday at, say, 3 o'clock.

Mr. HOPKINS. I suggest to the gentleman that it would be fairer to all parties not to set a definite time, either Monday or Tuesday.

Mr. PEARSON. The gentleman from Illinois will allow me to suggest that the shortest time ever allowed in this body for the discussion of an important question of this character was, as I understand, ten years ago, when two full days of debate were allowed, although the report of the committee was unanimous. These questions heretofore have sometimes run on through two years or two Congresses. There has never been a more important question presented in this body than that presented in the Crumpacker bill.

Mr. HOPKINS. Mr. Speaker, if the consensus of opinion on both sides of the House is that Tuesday at 2 o'clock would be a proper time to call the previous question, I will say to my friend from Indiana that I will not call the previous question before that hour—that we may have debate up to that time.

Mr. SWANSON. Make it 3 o'clock.

Mr. PAYNE. Two o'clock will give time on that day for a speech of one hour on each side.

Mr. HOPKINS. I ask that, by unanimous consent, the bill which I have called up may be considered in general debate from this time until Tuesday at 2 o'clock, when the previous question shall be considered as ordered and the House proceed to vote upon the various amendments that may be offered to the bill and upon the passage of the bill.

Mr. RICHARDSON of Tennessee. The gentleman will allow me to say that under the agreement which he proposes there will be no debate whatever under the five-minute rule. Would it not be well to have general debate until 3 o'clock Monday and then the five-minute debate until 3 o'clock on Tuesday? If the arrangement proposed by the gentleman from Illinois be acceptable to the minority members of the committee, I shall not interpose any objection, but it will leave us absolutely without any opportunity to debate amendments, and that is something I have never seen done here.

Mr. HAY. Which bill does the gentleman from Tennessee favor, the Hopkins bill or the Burleigh bill?

Mr. RICHARDSON of Tennessee. I do not know that I am prepared to answer that question. I am speaking only for myself.

Mr. HOPKINS. If the gentleman from Tennessee will give me his attention for a moment, I wish to say that so far as the members of the committee are concerned, they would be perfectly willing that a part of the time for debate be occupied under the five-minute rule.

Mr. MANN. Mr. Speaker—

The SPEAKER pro tempore. Does the gentleman from Illinois [Mr. HOPKINS] yield to his colleague?

Mr. HOPKINS. I yield to my colleague.

Mr. MANN. I should like to inquire from my colleague if he has made any arrangement with the gentleman from Indiana [Mr. CRUMPACKER], who filed minority suggestions, in reference to the time for closing debate?

Mr. HOPKINS. I have a telegram from the gentleman from Indiana [Mr. CRUMPACKER], received a few moments ago, in answer to a telegram that I sent him saying that we would proceed with the debate to-day and to-morrow and up to 2 o'clock Monday, in which he states that he will be here this evening, so that he will be in the House to-morrow—

Mr. MANN. Then, Mr. Speaker, in the absence of the gentleman from Indiana [Mr. CRUMPACKER], I object.

Mr. PAYNE. I hope the gentleman will not do that.

Mr. MANN. If an arrangement can be made so that the gentleman from Indiana—

Mr. PAYNE. The gentleman from Indiana is a member of the committee and will be entitled to his time.

Mr. MANN. I object, Mr. Speaker.

Mr. CLARK of Missouri. Mr. Speaker—

The SPEAKER pro tempore. The gentleman from Illinois [Mr. HOPKINS] has the floor.

Mr. CLARK of Missouri. I want to make an inquiry, either of the Chair or of the chairman of the committee, and that is whether or not, under this arrangement, amendments to this bill can be offered and debated?

Mr. RICHARDSON of Tennessee. No.

The SPEAKER pro tempore. No suggestion has been made yet by the chairman of the committee—

Mr. CLARK of Missouri. I want that information now.

Mr. LITTLEFIELD. Mr. Speaker—

Mr. HOPKINS. It is my intention to have it arranged so that amendments can be offered. I have no desire to cut off any amendments that will fairly express the opinion of the House, and whether it be the number that is reported by the majority or

by the minority, or some number that may be selected by gentlemen on the floor is a matter of no importance to me.

Mr. CLARK of Missouri. What I want to know definitely now is whether an amendment can be offered and debated, because I have one that I want to offer to have the District of Columbia have a Delegate in this House.

Mr. GROSVENOR. That would not be pertinent.

Mr. PAYNE. That would not be germane.

Mr. CLARK of Missouri. I do not care whether it is or not. I want to offer it if I can have the opportunity.

Mr. HOPKINS. I very much doubt whether that would be proper under the bill.

Mr. CLARK of Missouri. Does not your bill provide for Delegates from Oklahoma, Arizona, New Mexico, and Hawaii?

Mr. HOPKINS. I misunderstood the gentleman. I thought he said he wished to offer an amendment giving the District of Columbia a Member. His proposition is to give the District of Columbia a Territorial Delegate?

Mr. CLARK of Missouri. A Territorial Delegate; yes.

Mr. SHATTUC. You would have to have a law to do that.

Mr. HOPKINS. I will say to the gentleman that I have no objection to giving him an opportunity to offer such an amendment.

Mr. RICHARDSON of Tennessee. Mr. Speaker, if the gentleman from Illinois and the House will indulge me for a moment, if we make an agreement that this bill shall be debated under general debate until 3 o'clock Tuesday and that a vote shall be taken, why, then, there can be no offering of amendments and no discussion of amendments, and that is the only point to which I desire to call the attention of the House. If we can make an agreement to fix a time at which it will be in order to offer and debate amendments, that is all I desire.

Mr. HOPKINS. When I was interrupted by my colleague from Illinois [Mr. MANN], who objects to any time being fixed, I was about to say to the gentleman that I was willing to modify that so that we could take a certain portion of the time for general debate and then the other portion under the five-minute rule, which I think myself is preferable to using up all the time in general debate.

Mr. LITTLEFIELD. Mr. Speaker, will the gentleman yield to me for just one moment? I should like to inquire of the gentleman from Illinois [Mr. HOPKINS] if it is not his understanding with the gentleman from Maine [Mr. BURLEIGH], who represents the minority, that the minority bill shall be understood to be pending as a substitute for the proposition of the majority?

Mr. HOPKINS. Yes.

Mr. LITTLEFIELD. Whenever the debate is ended, that the proposition of the gentleman from Maine shall be pending?

Mr. PEARSON. And the Crumpacker bill will be an amendment to that?

Mr. HOPKINS. And the Crumpacker bill, I suppose, will be an amendment to that. It will be arranged so that a vote can be taken on that.

Mr. LITTLEFIELD. But the minority bill presented by the gentleman from Maine [Mr. BURLEIGH] is in order first as a substitute for the majority bill?

Mr. HOPKINS. As a substitute for the bill reported by the committee.

Mr. LITTLEFIELD. Now, inasmuch as the gentleman has arranged for the debate to close on Tuesday, or at least has suggested that he is willing to agree to that, I wish to ask him whether it would not be better to allow the debate to begin on Monday and to close on Tuesday instead of beginning the debate to-day and occupying to-morrow and Monday?

Mr. HOPKINS. I will say in answer to the gentleman that it has been suggested that more debate should be allowed, and inasmuch as many of the members have not had an opportunity to make a careful analysis of the bills, I think, in the interest of progress in the development of this bill, debate ought to begin to-day so as to analyze the bills. I am prepared to present the views of the majority as to the character of the majority bill, and I am also prepared to show why the House should not adopt the so-called Burleigh bill; and I suppose that my distinguished friend from Maine [Mr. LITTLEFIELD] is equally prepared to show the shortcomings of the committee bill and to exploit the benefits and glories of the Burleigh bill.

Mr. LITTLEFIELD. Will the gentleman allow this further suggestion? The gentleman is full well aware that there are some members of the minority of the committee who are not here as yet.

Mr. STEELE. That is not the fault of the House.

Mr. LITTLEFIELD. I know it is not the fault of the House; but then, so far as the committee are concerned, in fairness and courtesy they ought to be here and to have an opportunity to hear this debate.

Mr. HOPKINS. It will all be in the RECORD.

Mr. MAHON. Regular order, Mr. Speaker.

Mr. PAYNE. I hope the gentleman from Maine [Mr. LITTLEFIELD] will not forget that this is a short session of Congress and that there is a large amount of business to be transacted.

Mr. LITTLEFIELD. I trust I shall not forget anything so obvious as that.

The SPEAKER pro tempore. The regular order is demanded, which is the reading of the bill. The Clerk will read.

The Clerk read the bill, as follows:

A bill (H. R. 12740) making an apportionment of Representatives in Congress among the several States under the Twelfth Census.

Be it enacted, etc., That after the 3d of March, 1903, the House of Representatives shall be composed of 357 members, to be apportioned among the several States as follows:

Alabama, 9; Arkansas, 6; California, 7; Colorado, 2; Connecticut, 4; Delaware, 1; Florida, 2; Georgia, 11; Idaho, 1; Illinois, 23; Indiana, 12; Iowa, 11; Kansas, 7; Kentucky, 10; Louisiana, 7; Maine, 3; Maryland, 6; Massachusetts, 13; Michigan, 12; Minnesota, 8; Mississippi, 7; Missouri, 15; Montana, 1; Nebraska, 5; Nevada, 1; New Hampshire, 2; New Jersey, 9; New York, 23; North Carolina, 9; North Dakota, 1; Ohio, 20; Oregon, 2; Pennsylvania, 30; Rhode Island, 2; South Carolina, 6; South Dakota, 2; Tennessee, 10; Texas, 15; Utah, 1; Vermont, 2; Virginia, 9; Washington, 2; West Virginia, 5; Wisconsin, 10; Wyoming, 1.

SEC. 2. That whenever a new State is admitted to the Union the Representative or Representatives assigned to it shall be in addition to the number 357.

SEC. 3. That in each State entitled under this apportionment, the number to which such State may be entitled in the Fifty-eighth and each subsequent Congress shall be elected by districts composed of contiguous territory and containing as nearly as practicable an equal number of inhabitants. The said districts shall be equal to the number of Representatives to which such State may be entitled in Congress, no one district electing more than one Representative.

SEC. 4. That in case of an increase in the number of Representatives which may be given to any State under this apportionment such additional Representative or Representatives shall be elected by the State at large, and the other Representatives by the districts now prescribed by law until the legislature of such State, in the manner herein prescribed, shall redistrict such State; and if there be no increase in the number of Representatives from a State the Representatives thereof shall be elected from the districts now prescribed by law until such State be redistricted as herein prescribed by the legislature of said State; and if the number hereby provided for shall in any State be less than it was before the change hereby made, then the whole number to such State hereby provided for shall be elected at large, unless the legislatures of said States have provided or shall otherwise provide before the time fixed by law for the next election of Representatives therein.

SEC. 5. That all acts and parts of acts inconsistent with this act are hereby repealed.

The following committee amendment was read:

In line 14, page 2, after the word "contiguous," insert the words "and compact."

Mr. HOPKINS obtained the floor.

Mr. LITTLEFIELD. Mr. Speaker, I simply want to inquire of the gentleman from Illinois, if he will yield for a moment, whether there is any arrangement or understanding as to who controls the time on either side?

Mr. HOPKINS. No arrangement has been made with the House, but in discussing the matter with the members of the Census Committee it has been suggested that the chairman of the committee control it in favor of the committee bill and that the gentleman from Maine [Mr. BURLEIGH] control the time in opposition, and, Mr. Speaker, I ask unanimous consent that the time for general debate be equally divided and that it be controlled as indicated.

Mr. MANN. I object.

Mr. PEARSON. I object in behalf—

The SPEAKER pro tempore. Objection is made.

Mr. HOPKINS. Now, Mr. Speaker, if I can have the attention of the House, it is not my purpose to devote very much time to general remarks. As every member understands, the authority for the proposed legislation is found in the constitutional requirement, which reads as follows:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

The bill as prepared by the majority of the committee is in obedience to that provision of the Constitution which directs that representation and direct taxation shall be apportioned equitably among the people of the various States.

In the preparation of the bill we were necessarily required to investigate what had been done by previous committees under various censuses that have been taken since the adoption of the Constitution. We find that in the early history they adopted a ratio of population that was to determine the number of Representatives that should be found in the several States.

For example, they would take 33,000 as representing a district that would be entitled to a member of Congress, and then would take the aggregate population of the State and use 33,000 as the divisor, and the quotient would represent the number of Congressmen that would be allowed to the State. No attention whatever was given to fractions. This was so in the first few censuses

taken, and was carried on even up to 1840; but in 1832 a notable debate was had both in the House and in the Senate upon this subject.

It was found that as new States were added and the population of the various States increased, that there were large fractions in each one of those States that were unrepresented, and it was finally determined that some legislation should be adopted for the representation of these fractions. Under the census taken in 1830 the House pursued in the preparation of the bill for apportionment the old method that had been adopted in the first apportionment bill. When it was sent to the Senate such inequalities existed and such manifest injustice was apparent that the Senate prepared and adopted a bill based on an entirely different theory.

Mr. Webster was then in the Senate and was upon the Census Committee of the Senate. He insisted that representation and taxation required, in order to make a proper distribution of political power among the States, that a definite number should be determined on as to the membership of the House, that the aggregate population of the United States should be divided by that number, and the quotient thus obtained would be the ratio that should determine the membership in each State, allowing, however, a member for a major fraction.

Mr. WILLIAMS of Mississippi. Now, right in that connection, will the gentleman allow me to ask him a question?

Mr. HOPKINS. Yes, sir.

Mr. WILLIAMS of Mississippi. I am somewhat in sympathy with your bill, and I think if one injustice was corrected in it I would be with the whole of your bill if it is rectified in this particular. Now, here is Colorado which has a major fraction of 121,000 and something, Florida has a major fraction of 110,000 and something, and North Dakota a major fraction of 105,000 and something, but they do not get an additional Representative for these major fractions. Why not, now, make the House 360, as it virtually is now, and give to these three States their additional members. Then you would give every State that has a major fraction one member, taken as a divisor for the additional member. It seems to me that that would make your bill mathematically perfect, and correct an injustice which has been done these States.

Mr. HOPKINS. I will say to the gentleman from Mississippi, Mr. Speaker, that that subject is one that has been carefully considered by the committee, and during the progress of my remarks I propose to take up that question and discuss it, and shall state why our Committee on the Census were not constrained to increase the number beyond 357.

Mr. WILLIAMS of Mississippi. That is a fact, is it not?

Mr. HOPKINS. It is a fact, as stated by the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. One word more. Is it not a fact that these are the only three States that have a major fraction that do not get an additional Representative?

Mr. HOPKINS. It is the fact that they are the only three that do not get an additional Representative on major fractions.

Mr. SHAFROTH. Will the gentleman allow me to ask him a question?

Mr. HOPKINS. I can not now; and the reason I do not desire to be interrupted is, I will take up these various objections raised by gentlemen and explain them in the course of my remarks, and I think I can make it clearer to members of the House upon both sides in that way than by these interruptions.

Mr. SHAFROTH. Will the gentleman—

Mr. HOPKINS. I have conversed with the gentleman from Colorado, and know his point and what he desires to say, and I will come to it by and by.

Mr. SHAFROTH. All right.

Mr. HOPKINS. Now, at the time when the Senate, under the leadership of Mr. Webster, of Massachusetts, changed the method of determining the representation of the House, Mr. Polk, who was afterwards President of the United States, as chairman of the Committee on Census of the House, took issue with the action of the Senate and insisted that fractions, under the Constitution, could not be represented at all; that we must take a certain population as the ratio, and that under our Constitution we had no power whatever to make any addition for a fraction.

At that time the views of the Senate were not fully adopted, but from 1840 up to the present time the suggestions first made, as I have indicated, by the Senate upon this subject have been adopted. And for more than sixty years in determining the membership of the House under its apportionment bills an arbitrary number has been taken, and then the fractions have been considered, and a member assigned to each State having a majority fraction.

Now, when we come to take up the bill suggested by the Committee on the Census I will go into this matter more fully than I have at this time. I desire to call the attention of the House briefly, and only briefly, to the reasons that have suggested themselves to the Committee on the Census as to why we have limited the number to 357. I find that the number we have now is an

exceedingly large body to transact business, and it was believed in the interests of economy and in the interests of legislation that it would not be wise at this time to increase that number.

Gentlemen who have served here in the House for any length of time are aware of the fact that right here in the center of the House are a few favored seats, but those unfortunate enough to get seats on the back rows or on the outer sides of the Chamber are practically excluded from participating in legislation if they remain in their seats. This matter has become so well understood that the strip nearest the west side of the Chamber has been denominated the "Cherokee Strip," and members when they have been selecting their seats have been jeered by the more fortunate members when they have been compelled to take their seats in that section.

Another thing is that people elect members of Congress to come here to legislate; not only to participate in debate, but to take an active interest in all the great questions presented. As the House is constituted, if we increase the number, it will be absolutely impossible to transact the business of the House except by committees. It is too much so at the present time for a healthy condition of legislation. For example, in a few days we shall consider a river and harbor bill which, I understand, carries with it appropriations aggregating from sixty to eighty millions of dollars. Outside of the Committee on Rivers and Harbors, what member knows anything about the considerations that have influenced the members of that committee or the reasons warranting an appropriation reaching such enormous figures?

Here the other day an appropriation bill was brought in from the Committee on Appropriations carrying \$145,000,000, and was passed in this House in eleven minutes' time. What member of this House, outside of the committee that reported the bill, knows anything about the items covered by it, or can give any facts regarding any of its provisions? This is the condition now. If we increase the membership of the House by thirty or forty members, it will increase the difficulties that I have briefly and imperfectly referred to at the present time.

Not only that, Mr. Speaker, but in a legislative body with a lesser number we find that the rules are not so severe, and a larger liberty is given to the individual members. We see that in the Senate as compared with the House. There is not a Senator that represents in part any one of the great States that form this grand Republic who rises to his feet but what is entitled to the recognition of the Chair.

How is it in this House? Composed of 357 members, as we have now, let a gentleman with any kind of a resolution, on any subject that interests the public, rise to his feet and address the Chair, and does he get recognition under our rules? Not at all. The question propounded to him is, "For what purpose does the gentleman rise?" And it is left for the Speaker to determine whether he shall have recognition to bring that matter before the House or whether he will be compelled to sit down in his seat and wait the action of the Speaker. That can not and ought not to exist in a properly regulated legislative body.

Now, I make no criticism of the present Speaker of the House. I believe he has discharged his duties with an ability and fidelity that entitles him to the highest credit, and his course with every member of this House has been courteous in the extreme; but with this large legislative body we see the trouble and inconvenience to which members are subjected. That is so with 357 members; and if we increase it, we increase the troubles of this kind. Now, you take the committees, and it is the same way. In order to give members of this House proper representation on committees committee after committee has been created that does not meet during the entire session of Congress, and the committees already in existence are increased to such numbers as to make them burdensome and unwieldy; so that I think when members come to look upon this subject in the spirit of patriotism, with the idea of the public good, not from a selfish standpoint, they will agree with the majority of the Committee on the Census that we should call a halt in increasing the membership of this House.

Now, Mr. Speaker, it goes without saying that under the apportionment proposed by the Committee on the Census every one of the great States forming the Federal Republic will have the same relative influence, the same relative power, the same relative representation on this floor that it would have with a larger number of Representatives. Illinois under this bill, with 23 members, will have the same power, the same influence, that she would have with 28 members or with 25, as proposed in the other bill.

The great State of Maine that has honored the country by so many distinguished sons who have served in this House and in the other Chamber will, with three members, as proposed in the bill of the majority, have the same relative influence, the same relative power and position, in this House that she would have with four members. Her representation can not be increased without increasing the representation of all the other States.

If, then, as I have said, we sink the personal ambition of members, if we will throw off the influence that is brought about by

localities, and look at this discussion from the standpoint of "the greatest good to the greatest number," and will remember our country and not the individual or the section, it seems to me there ought not to be any division among the members of this House upon the proposition that the membership of this House should not be increased.

There are many other arguments which can be urged in favor of retaining the present number—357. I can well understand why gentlemen desiring to increase the number of Representatives in this House should refer to the English House of Commons with 670 members. But they must remember that in England there is no written constitution to control as there is in the United States. They must remember also that by the rules and regulations of the English House of Commons 40 members of Parliament constitute a quorum for the transaction of public business and 20 members for the transaction of private business.

Then, on the question of economy, England pays to her members of Parliament no salary whatever. She furnishes them no clerks, no stationery, no traveling expenses, no et ceteras such as become a part of the perquisites of every member of the American Congress. Every time we increase the membership of this House we increase the annual expenses of the Government. Gentlemen may say that that is a small matter, but the increase which is proposed in the so-called Burleigh bill will entail an increased annual expense to the Government of the United States of from \$500,000 to \$750,000. That will be a fixed expenditure which must be met year after year without any resultant good.

Some gentlemen say that in order to transact business and look after our constituents properly it is necessary that the number of Representatives should be increased. I do not agree with gentlemen who take that view, because it seems to me that a careful study of the history of our country will bear out the remark that the legislator of to-day from any of these States has less to do than had his predecessors.

It should not be forgotten that in the earlier days members of Congress had no clerks such as are furnished at the present time. By the introduction of the railroad, the telegraph, the telephone, and the great mail system which has been established in this country communication with our constituents is made easy; all sections of our country have been brought into harmony, so that Representatives on this floor can much more readily look after the interests of their constituents than they could before the days of railroads and telegraphs and telephones.

As I have said, these are a few of the considerations which have influenced the majority of the committee in adhering to 357 as the number of Representatives, and recommending the adoption of that number instead of the increase proposed by the minority of the committee.

I now propose, if I can have the attention of the House, to take up bill No. 12740, reported by our committee, and analyze it, showing to members of the House the methods by which we have made the allotments to each of the several States, the total of which aggregates 357 members.

Some time before the convening of Congress the Director of the Census was directed, in accordance with the custom established for many years, to prepare tables not only for the guidance of the Committee on the Census, but also for the benefit of Members and Senators. The experts in that department have prepared a table, called an apportionment table, in which they commence with 350 members and give the figures up to 400 members, inclusive. They first give the constitutional population of every State in the Union and then the constitutional population of the entire United States. By means of these tables we can take any of these figures presented, and if we settle upon any number as the membership of this House, can easily determine the representation that will be allotted thereby to any of the States.

As I have stated, the majority of the committee in preparing their bill selected first 357, and then in order to determine the membership to be allotted to each State under this new apportionment they divided the constitutional population of the United States—74,565,906—by 357, getting a quotient of 208,868, so that under the proposition of the majority of the committee the population of a Congressional district should aggregate 208,868. Taking that number as a divisor, we then took the population of the various States and made the division. For example, dividing the population of Alabama—1,828,697—by 208,868, it gave to the State of Alabama 8 members, with a decimal fraction of 0.755, representing a population of 157,753.

That process was carried out with every State, the aggregate number reached by this process being 335 members; so that by this process we apportion among the several States in the Union 335 members. Now, in order to reach the 357 members, we find that there are 22 members still to be allotted; but we also find that, by the division made in the manner that I have indicated, there were major and minor fractions in the 45 different States aggregating 4,595,126.

Under the old rule that was adopted and maintained in this

country up to 1840 that population of 4,595,126 would have gone unrepresented, excepting the four States that under the Constitution are entitled to one member each; but under the policy that has been adopted during the last sixty years these major fractions were represented. It was found, however, that there were major fractions for 25 States instead of 22, including the four States that under the Constitution are entitled to one member each. How was that to be remedied? Under this apportionment 335 members had been assigned to the several States, each on the same ratio that was accorded to its sister States, leaving, as I said, 22 members to be assigned, as I have already stated.

Now, what was the most equitable and just way to dispose of these fractions? The four million and odd thousands that I have mentioned would be entitled only to 22 members, on the ratio that we have already divided among the other States. That aggregation of fractions would not be entitled to 25 members, but only to 22. Now, it would not be in accordance with the requirements of the Constitution to give a greater representation to a fraction than to the integral numbers. It would not be just and proper to take this population that is represented by these various fractions and give them an increased representation. Then what is the most equitable and just way to dispose of the 22 members that represent the fractional numbers?

Why, Mr. Speaker, there is but one way, and that way was pointed out many years ago by Professor Walker, Superintendent of the Ninth and Tenth Censuses. Professor Walker not only agreed fully with the masterly argument that was made by Mr. Webster upon the subject, that we should take an arbitrary number for the membership of the House and have the fractions represented, but he insisted that where such an anomaly existed as we find exists at the present time the only just and proper way would be to take the State with the largest major fraction and give to that State one of the 22 members, then take the next State that had the next highest major fraction and give to it a member, and so on until the 22 members are disposed of in the manner that I have indicated.

Now, these 22 members represent, as I have said, all the fractions, including the population of the four States with one member each; but it is more equitable and just to apportion an additional member to the State with the highest major fraction than it would be to one with a lower major fraction, because when we come to this question of fractions (which frequently occurs, as you will find by going through these figures), one State may have a major fraction of a thousand or two above the moiety number, and another State just reach the dividing line. Where would you make the division there?

Mr. LONG. Will the gentleman allow me?

Mr. HOPKINS. Just in a moment. Now, I call the attention of the members of the House to this to show that in making this apportionment as has been provided by the Committee on the Census we have been unable to deal out strict and exact justice to all States, but, as Mr. Webster said, the Constitution does not require that. It only requires us to do that as nearly as it is possible to do it in making these divisions. And I submit that when gentlemen come to study these figures as the Committee on the Census have studied them they will readily find that no other apportionment could be made and still preserve the harmony and integrity of the bill.

Now, the gentleman from Mississippi, early in my remarks, suggested that we should recognize the three States that have small major fractions. The moment that we attempt to do that we change the ratio, because you will see under an apportionment of 357 members the ratio is 208,868. Suppose we adopt the suggestion made and give these three States each an additional member.

Then we increase the membership of the House from 357 to 360; and by turning over the leaf and examining the figures that have been prepared by the Committee on the Census we find that, instead of the ratio being the number that I have indicated, it has dropped down to 207,127, and instead of having the membership of the House as it is, at 357, we find that these fractions in the States are changed and that some State other than one of these three that have been indicated would be left exactly in the position now occupied by Florida, North Dakota, and Colorado.

Mr. MORRIS. It would create major fractions in other States.

Mr. HOPKINS. Yes; it would create major fractions in other States; and if you will follow this through from one point to another, you will find it will be utterly impossible to have a bill that will prevent that condition arising somewhere.

Mr. SHAFROTH. Will the gentleman now yield to me for a question?

Mr. HOPKINS. Yes.

Mr. SHAFROTH. Will you explain to the House how it is that if the number of Representatives in the House is 356 Colorado gains a member, or if it is 358 Colorado gains a member, but if it is 357, the number between the two, Colorado does not gain a member?

Mr. PEARSON. That is the "Alabama paradox."

Mr. HOPKINS. Certainly it does not require any mathematical genius to explain that. When you have a definite number as a divisor to divide the population of 45 different States, you change the ratio and it changes the fraction and makes the changes that we have indicated. It is what was twenty years ago called the "Alabama paradox."

Mr. SHAFROTH. Does the gentleman recognize, also, that if the membership of the House is reduced to 350 Colorado gains a member; or if it is 351 Colorado gains a member; or if it is 352, or 353, or 354, or 355, or 356, Colorado gains a member; but if it is 357 Colorado does not gain a member?

Mr. HOPKINS. If the gentleman would study the figures that have been presented to us by the Director of the Census he would readily see how that occurs; and it illustrates the point that I make and the point that has been a stumbling block ever since we have had apportionment bills under the Constitution of the United States. You can not administer strict, exact, and impartial justice to every State. One State may get a little advantage of another, but the object and purpose of the House in every instance should be to minimize those inequalities, to have a ratio that will apply to the greatest number of States and to give to the States with the largest major fractions, if any such exist, representation, rather than those that have smaller fractions.

Mr. SHAFROTH. Right there—

Mr. HOPKINS. I can not be interrupted. I know what the gentleman's position is and his questions do not throw any light on the subject.

Mr. SHAFROTH. I should like to get some light myself.

Mr. HOPKINS. Then listen to me and do not ask questions.

Mr. PEARSON. The gentleman should read the speech of "Sunset" Cox on the Alabama paradox, showing that figures never lie.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. HOPKINS. No; I do not. Now, Mr. Speaker, right in connection with this subject, and in connection with what the gentleman from Colorado has said, I desire to call to the attention of the members of the House the letter of Francis A. Walker, the Superintendent of the Ninth and Tenth Censuses, written to Mr. Cox, January 15, 1881. It is found on page 24 of the report. I trust every member of the House will read the letter. He says:

DEPARTMENT OF THE INTERIOR, CENSUS OFFICE,
Washington, D. C., January 15, 1881.

DEAR SIR: In response to your request, I would say that I see no correct principle underlying the practice of giving an additional Representative to all States having a moiety of the number of inhabitants taken as the divisor in determining the number of Representatives to which each State shall be entitled under the census. In my view, the only logical method is to take at the outset the final number of Representatives, which number shall be used as a divisor in obtaining the ratio of Representatives to population.

The ratio so obtained should be applied in succession to the population of each State. This process will yield in the aggregate a number somewhat less than the number of Representatives originally taken. The difference should be made up by assigning to the States having the largest fractions additional Representatives. Whenever a sufficient number of additional Representatives have been assigned on account of fractions, to make up the total number taken, such assignment should cease.

If that number be exceeded, as in the case of the assignment of additional Representatives on account of a moiety, the ratio of representation is thereby changed, whether that excess be one or more, a new ratio is determined, and the work has to be done all over again. It might easily happen that upon the new ratio another State would be found to have a fraction in excess of the moiety, and therefore entitled upon the same principle to an additional Representative. The addition of such a Representative, however, giving a new total, would again change the ratio, and the application of that ratio might find still another State in excess of the moiety, and so on.

I inclose a series of tables which afford a practical illustration of this process. In Table I, I have taken 23 communities, which we may assume to be the counties of a State, named A to W, inclusive, having an aggregate population of 120,000. Taking the total number of Representatives at 200, we have 1 Representative to every 600 inhabitants. Applying this ratio in succession to the population of the several counties, we have 190 Representatives assigned upon even division, as appears in column 3, while there is an aggregate of fractions, as shown in column 4, of 6,000. Assigning 10 additional Representatives according to the highest fractions, we have, in column 5, the total 200—the original number of Representatives taken.

Here, according to my view, the work should stop. If, however, assignments are to be made upon a moiety, we find the county named G receiving an additional Representative, its fraction being greater than one-half of 600. The number of Representatives now, however, has become not 200, but 201, and the ratio is no longer 1 to 600, but 1 to 597. Applying the ratio in succession to the population of the several counties, as in Table II, we have an aggregate number of 192 Representatives upon even division, with an aggregate of fractions reaching 5,376. Assigning 9 additional Representatives upon the highest fractions, we have the total number 201, the number last taken, but there still remains one county, U, having a fraction in excess of the moiety.

This county, therefore, upon the moiety principle, must receive an additional Representative, which, however, would make the total number 202 and change the ratio to 1 to 594. Now, if G was entitled to an additional Representative by reason of having a fraction in excess of the moiety of 600, which was not the number of inhabitants to a Representative, U is equally entitled to an additional Representative, because it has a fraction in excess of the moiety of 597, which is the actual number of inhabitants to a Representative. But if U receives an additional Representative on account of its moiety, then the number of Representatives becomes not 201, but 202, and the ratio becomes 1 to 594.

Applying this ratio to the population of the several States in succession, as shown in Table III, we have the number of 194 Representatives assigned upon even division. Giving 8 additional Representatives upon the highest fractions, we have the number of 202, according to the scheme; but this still leaves one county, Q, having a fraction in excess of a moiety of 594. Now, upon the moiety principle, Q has just as good right to have an additional

Representative as U or G in the instances previously taken. If, however, this claim is to prevail, the number of Representatives is again changed, namely, to 203, and the ratio is again changed, namely, 1 to 591; a new distribution takes place, as seen in Table IV, and again a claimant for an additional Representative appears in I, which has a fraction of 299, being more than one-half the number (591) of inhabitants to a Representative.

The result of giving I an additional Representative is shown in Table V, where, with a total number of 204 Representatives, yielding the ratio of 1 to 588, there still appears a new county, O, which claims an additional Representative on precisely the same grounds as G, U, Q, or I, namely, as having a fraction equal to a moiety of the number of inhabitants to a Representative. And so this might go on indefinitely.

I see no rational conclusion, therefore, but that the number first taken, through which, as a divisor, to obtain the number of inhabitants for a Representative should be maintained, and so many additional Representatives, and only so many, be assigned upon fractions as are needed to make up the original number. To go beyond this is to lose all hold on any principle governing the matter.

Very respectfully, yours,

FRANCIS A. WALKER,
Superintendent of Census.

Hon. S. S. Cox,
House of Representatives.

Mr. SHAFROTH. Now, will the gentleman yield right there?

Mr. HOPKINS. I can not be interrupted any more by the gentleman from Colorado.

Now, Mr. Speaker, the more the members of the House study this question, the fairer will appear the bill suggested by the Committee on the Census. We have absolutely given the same ratio for representation in all of the 45 States, excepting the four States that by the Constitution are entitled to membership although their population falls below the ratio, and then we have taken the fractions, as suggested by this distinguished scientist and statistician, Professor Walker, in a manner that will commend itself to the judgment of every man who is compelled to act in the premises, giving each State that has the highest major fraction a Representative, until the entire number is exhausted.

I undertake to say, Mr. Speaker, that it is impossible to arrive at any more just and equitable system of assigning the membership of this House than the one that has been suggested. If you follow the suggestion of the gentleman from Mississippi you create additional inequalities in other States. So that we must take an arbitrary number and be guided by that; and then, when we have exhausted the fractions, as the committee have done in the bill which is reported by our committee, you must stop whether that leaves out Colorado, Florida, or any other State.

Mr. LITTLEFIELD. Will the gentleman yield to me a moment?

Mr. HOPKINS. I yield to the gentleman.

Mr. LITTLEFIELD. I want to make this inquiry. If I understand the theory of your bill and the basis on which it is made, you allow for all major fractions until you get the requisite number?

Mr. HOPKINS. Yes, sir.

Mr. LITTLEFIELD. And you leave out three that have this major fraction, and of course all with a minority fraction?

Mr. HOPKINS. Yes, sir.

Mr. LITTLEFIELD. And the minority fractions are not represented?

Mr. HOPKINS. Oh, no; we gave 22 extra men, and I supposed the gentleman understood that. The gentleman is entirely in error. There are 4,595,126 people that are represented by fractions, including the four States with one member each, and are entitled, under the ratio we have adopted, to 22 members. If you allow for more than 22, as I explained earlier in my remarks, you allow the fraction a greater representation than the integral number; and the only question for us to determine is how we are to dispose of the 22 Congressmen that represent the major fractions, including the populations of the States with one member each.

The committee understood it, and I suppose my learned friend from Maine must understand it. The committee believed, with Professor Walker and the present Director of the Census, and all the statisticians and scientists who have given this subject any consideration, that the equitable way to dispose of the fraction is to give a member of Congress to the State having the highest major fraction, and then the next highest major fraction, and so on until the fractions are exhausted by the assignment of members.

Mr. LITTLEFIELD. Now, perhaps the gentleman may not have comprehended my question. Upon your explanation, how does the major fraction of Colorado of 121,067 get representation under your bill by a Representative assigned to another State?

Mr. HOPKINS. I will explain that.

Mr. LITTLEFIELD. And on the basis of your calculation, how do all the minor fractions get representation unless by representation of other States?

Mr. HOPKINS. I will explain that further on. It is my purpose to do that.

Mr. Speaker, the adoption of 357 members will necessitate a decrease in the membership of some of the States in the Congress that is organized under this apportionment bill, and if gentlemen will turn to page 39 of these tables I have been using during the course of my remarks, they will find the States there losing one are

Indiana, Kansas, Kentucky, Maine, Nebraska, Ohio, South Carolina, and Virginia. The States that gain one are Illinois, Louisiana, Minnesota, New Jersey, New York, and West Virginia. The State that gains two is Texas. That is on page 39 of the report.

Mr. LLOYD. I would like to ask the gentleman if he made computation to ascertain whether the division is correct in the computation of Colorado as compared with Michigan.

Mr. HOPKINS. I will answer that later on.

Mr. LLOYD. I want to call your attention to the fact that Colorado is entitled to three under that computation.

Mr. HOPKINS. I am now speaking of results generally to the various States and the result of the bill as adopted. It has been contended by some that these apportionment bills should be made so that no State shall lose any member; and some have gone so far as to say that in all apportionments no State ever lost any. I have had prepared for the benefit of the House some tables. I find by the list of precedents that it has been but rare since the adoption of the Constitution that we have framed and passed a bill that has continued the representation of all the States.

When the Constitution was adopted it provided for the membership of the States when they became a part of the Federal Union. The first census was taken in 1790. Under that census Georgia lost a member that was allowed to her at the adoption of the Constitution. In 1800, ten years later, an apportionment was provided under which there was no loss, and the same was true of 1810; but in 1820 Connecticut lost a member, Delaware 1, Massachusetts 7, Vermont 1, and Virginia 1, making an aggregate loss of 11.

Under the census of 1830 Maryland lost a member, Massachusetts 1, New Hampshire 1, Virginia 1, making an aggregate loss in those States of 4 members. In 1840, under the Sixth Census, Connecticut lost 1, Georgia 1, Kentucky 3, Maine 1, Maryland 2, Massachusetts 2, New Hampshire 1, New Jersey 1, New York 6, North Carolina 4, Pennsylvania 4, South Carolina 2, Tennessee 2, Vermont 1, and Virginia 6. Under the census of 1850 Maine lost 1, New Hampshire 1, New York 1, South Carolina 1, North Carolina 1, Tennessee 1, Vermont 1, and Virginia 2, making an aggregate loss of 9 to those States under the census of 1850.

In 1860, under the Eighth Census, Alabama lost 1, Georgia 1, Kentucky 1, Maine again lost 1, Maryland 1, New York 2, North Carolina 1, Ohio 2, Pennsylvania 1, South Carolina 2, Tennessee 2, and Virginia 2.

Under the census of 1870—the Ninth Census—New Hampshire lost 1, Vermont 1, Virginia 2.

Under the Tenth Census, of 1880, Maine again lost another member. Under the Eleventh Census, in 1890, they increased the number, as is proposed under the Burleigh bill, so that no State lost a member.

Gentlemen who will examine the tables which have been prepared and made a part of the report of the committee will see that at one time Virginia had 23 members, and then she dwindled down to 9 by successive losses until the last two censuses, when she was again restored to 10. The time was when Maine was represented by 8 members of Congress on this floor. But for forty years Maine has made no advancement in her population to speak of.

I have here a tabulated statement showing the condition of Maine. In 1860 the per cent of increase of population was only 7.7. From 1860 to 1870 she decreased in population as a State. From 1870 to 1880 she increased only 3.5; from 1880 to 1890 only 1.9 per cent, and from 1890 to 1900 only 5 per cent; so that during the forty years or more the population has increased less than 10 per cent.

Mr. WILSON of South Carolina. Will the chairman allow me a question?

Mr. HOPKINS. Yes.

Mr. WILSON of South Carolina. If Congress had adopted this apportionment of the Eleventh Census, making the number 375 as the number of Representatives upon this floor, would the chairman of this committee be in favor of adopting 375 as the membership of the next Congress? In other words, do you not recommend 357 because that is the present representation in Congress?

Mr. HOPKINS. The committee recommended 357 because they believed that 357 is the limit where the best results for the country can be achieved.

Mr. WILSON of South Carolina. Is it not a fact that that number is taken because it is the present number?

Mr. HOPKINS. Not necessarily. That is one of the considerations undoubtedly which entered into the minds of the members of the committee in reporting it. It is not necessarily the controlling element. The point is, as stated by one great French writer, that if you increase a legislative body beyond a certain point it becomes a mob.

Now, we know from experience in this House that you take the capacity of the room, the methods of legislation, and the rules adopted, and we can not increase the membership of the House without detriment to the interests of good legislation.

Mr. RICHARDSON of Tennessee. I want to ask the gentleman a question.

Mr. HOPKINS. I will yield to the gentleman from Tennessee.

Mr. RICHARDSON of Tennessee. I want to ask if the number is fixed, as provided in the committee bill, at 357, what States will lose a member? As I understand it, Virginia and Maine—

Mr. HOPKINS. And Nebraska, Kansas, Indiana, Ohio, and South Carolina.

Mr. RICHARDSON of Tennessee. Would there be any objection under the Constitution, if Congress saw fit to fix the number at 357 and provide that the States of Maine and these other States should not lose a member, and make the number in excess of 357? Is there any constitutional inhibition to that?

Mr. HOPKINS. The gentleman means to add to the States that have lost?

Mr. RICHARDSON of Tennessee. I will say, fix it at 357 members, as provided in the bill, and say, "Provided, however, that those States (naming them) shall not lose a member, and that the members shall be in excess of 357; so as that no State shall lose."

Mr. HOPKINS. I will say to the gentleman that we have no constitutional authority to do that.

Mr. RICHARDSON of Tennessee. That is what I am inquiring about.

Mr. HOPKINS. It is upon this principle, that representation and taxation shall go together. Now, if direct tax were imposed, there is no State that would submit to a tax greater than the relation her population bore to the population of the entire United States, and in making our apportionment of members we seek to obtain the same relative proportion between the States as compared with the aggregate population of the entire United States.

Mr. DAVIS. Will the gentleman allow me a question?

Mr. HOPKINS. Yes.

Mr. DAVIS. With 357 as a divisor, you have made a ratio of one member for 208,868 of the population, and in doing that you found a number of States with a majority fraction. You have accommodated all those States except three, Colorado, Florida, and North Dakota. Now, could you not, without disturbing the ratio and without greatly increasing the membership of the House, make it 360 and do justice to three States that you deprive of these members, although they have, under the rule of allowing an additional member for a majority fraction, the right to those additional members?

Mr. HOPKINS. I have already explained that situation, I think, fully to the members of the House. If the gentleman will take the figures prepared by the Director of the Census and turn to the ratio of 360 members and run that down, he will see—

Mr. DAVIS. I heard what the gentleman said about that, but what I want to ask is this: Allowing your divisor to remain as it is—357—you make the ratio of 1 Representative to 208,868 of the population, and in making that calculation you find a number of States with majority fractions. You have accommodated all those States except Florida, Colorado, and North Dakota.

Now, without disturbing that calculation—without using any new divisor at all—could you not, in justice to those States earning a member by reason of a majority fraction, add 3 members to your aggregate of 357 without materially adding to the number proposed in your bill? Are you not treating those States unfairly by leaving them out?

Mr. HOPKINS. I am willing to leave that matter to the House. I have already said all I care to say on that point. The House can of course do whatever it may choose on that question. I have shown that there are only 23 members left to represent this aggregation of fractions and that when that number is exhausted the power of the committee in making an allotment is exhausted.

Mr. Speaker, I have called attention to the fact that in reducing the representation of some States we are not starting out upon a new field; that those States which are losing a member, as indicated in the report here, are not suffering anything that their sister States have not been subjected to in the past. Now, who is it that is taking the lead in opposition to the bill of the committee? The gentleman from Maine. Why does he do it? He does it because under the bill reported by our committee the representation of Maine in this House is reduced by one member.

The gentleman from Kansas is another gentleman earnestly in favor of the Burleigh bill and earnestly opposed to the committee bill. Why? Because under the committee bill Kansas will lose a Representative. My honored friend from Nebraska is another gentleman who is opposed to our bill. We find that under the bill as reported by the committee Nebraska will lose a member. In other words, the men who have been acting in opposition to the committee bill—the men who are seeking to prejudice the minds of others against the adoption of that bill—are those whose States under the equitable method and scientific process which I have but briefly and imperfectly stated will suffer a loss of representation in this House to the extent of one member each.

Those States are the States that wish to destroy our bill and present a bill of their own. As I have just shown to the House,

the State of Maine has for forty years been nearly stationary in population. It is no discredit to her that the splendid men and women who first see the light of day in that grand old State go to the West to populate and make great the States beyond the Mississippi.

It ought to be an honor instead of a discredit to her that this population of hers has taken a westward course instead of staying up there in the pines of Maine. But is that any reason why Maine should have a greater representation on this floor on the basis of her population than is accorded to the great States of the Union? Is there any code of morals or ethics by which a gentleman from that State is entitled to come here and sit on this floor with a less population back of him than a Representative from Illinois or Pennsylvania or New York? The same thing may be said in the case of Kansas. Let me show you what is the trouble with Kansas.

Mr. CURTIS. Why not adopt a figure which will take care of all these States without doing injustice to any?

Mr. HOPKINS. The trouble is not with the bill reported by the committee, but with the condition existing in the State of Kansas itself. Kansas has been cursed for ten long years with Populism. Capital has been driven from the State. Energetic, progressive, splendid men who sought homes there have been driven out and gone elsewhere. That young giant, as it was ten years ago, has been a laggard in the race of the States that form the Republic. Fifty-four counties in the State of Kansas during the ten years that the Populists have been in power in that State show a decrease of population.

[Here the hammer fell.]

Mr. LONG. I ask that the gentleman from Illinois be permitted to finish his remarks.

There was no objection.

Mr. HOPKINS. Now, Mr. Speaker, as I was saying, in 54 counties of the State of Kansas during the last ten years the population has decreased from one-half of 1 per cent to 68 per cent; and taking the entire State it has increased in population only 3 per cent—less than the births of the State.

How is it in the State of Nebraska? Nebraska, lying alongside of Kansas, is suffering not from this bill of the committee, but from Bryanism and Populism in that State. [Laughter.] The same conditions that have stagnated the energy and the enterprise of Kansas are operating in the same way in the State of Nebraska. And I find, Mr. Speaker, the astonishing fact that the district in Nebraska which contains the capital of the State has, during the ten years that Bryan and Populism have been dominant in that community, decreased in population 11,069.

I find also that the Second district, including the city of Omaha, has decreased in population during those ten years 13,996. Thirty-two counties out of a total of 90 in the State of Nebraska show a decrease in population. Now, the States that are making the greatest trouble and the most persistent opposition to the bill of the committee are these States. While I can sympathize with my Republican friends, I know no reason why they should have greater privileges given to them under an apportionment of this kind than are accorded to any other State.

Mr. CURTIS. We do not ask for any favoritism. All we ask is fair treatment. Give us a ratio that will save all the States.

Mr. HOPKINS. I will show the gentleman before I get through that he is favoring a bill that will give special privileges to his State, privileges not accorded to other States. I will show that the gentleman is advocating a bill which can not be defended.

Mr. LITTLEFIELD. Based on your tables.

Mr. CURTIS. Based on your own tables.

Mr. HOPKINS. I beg your pardon. Now, we will see—

Mr. LITTLEFIELD. Well, let us see if they are not.

Mr. HOPKINS. Now, we will see whether these gentlemen who represent these States that are nonprogressive [laughter], that have not kept up with the procession—we will see, Mr. Speaker, whether they are so exceedingly fair and generous and just to the other States as their language indicates. Facts and figures will determine that. Now, I find by referring to the Burleigh bill that it says that after the 3d day of March, 1903, the House of Representatives shall be composed of 387 members, to be apportioned among the several States as follows:

Alabama, 9; Arkansas, 7; California, 8; Colorado, 3; Connecticut, 5; Delaware, 1; Florida, 3; Georgia, 11; Idaho, 1; Illinois, 25; Indiana, 13; Iowa, 11; Kansas, 8; Kentucky, 11; Louisiana, 7; Maine, 4; Maryland, 6; Massachusetts, 14; Michigan, 12; Minnesota, 9; Mississippi, 8; Missouri, 16; Montana, 1; Nebraska, 6; Nevada, 1; New Hampshire, 2; New Jersey, 10; New York, 37; North Carolina, 10; North Dakota, 2; Ohio, 21; Oregon, 2; Pennsylvania, 32; Rhode Island, 2; South Carolina, 7; South Dakota, 2; Tennessee, 10; Texas, 16; Utah, 1; Vermont, 2; Virginia, 10; Washington, 3; West Virginia, 5; Wisconsin, 11; and Wyoming, 1.

The gentleman from Maine [Mr. LITTLEFIELD] says that their bill is predicated upon the figures that have been presented by the Director of the Census. I have carefully studied the figures given by the Director of the Census, and I fail to agree with the gentleman. I turn to the same figures I have been discussing in attempting to explain the bill of the committee, and I find that in

the so-called Burleigh bill they have given to the State of Nebraska 6 members, whereas under the figures as prepared by the Director of the Census Nebraska is only entitled to 5 members. I find that they have given to the State of Maine 4 members, whereas under the figures prepared by the Director of the Census, under a representation of 386, Maine is only entitled to 3 members.

Mr. LITTLEFIELD and Mr. LONG rose.

Mr. HOPKINS. I will give you an opportunity later on.

Mr. LONG. The gentleman has referred to the wrong computation.

Mr. HOPKINS. I have not. The gentleman says I am referring to the wrong computation. I will take that up and I will show to the members of the House whether I am right or not.

Mr. LITTLEFIELD. No; you have simply stepped from one table to another.

Mr. HOPKINS. The gentleman from Maine is the one who has been stepping.

Now, let us have no mistake about this. I call the attention of the members of the House again to the so-called Burleigh bill, which declares that the representation in the House shall consist of 386 members. The gentleman from Maine [Mr. LITTLEFIELD] who interrupted me says that bill was prepared upon the tables presented by the Director of the Census.

I turn to the tables prepared by the Director of the Census, and under a representation of 386 I find that Maine, under those figures, is entitled to only 3 members, while under the Burleigh bill she is given 4. Where does she get that additional member? I find by running down the figures a little farther that Pennsylvania is entitled to 32 members, with a major fraction of 120,515. Pennsylvania is given nothing for her major fraction and Maine, with a major fraction less than Pennsylvania, is given an additional member.

Mr. LITTLEFIELD. What table is that?

Mr. HOPKINS. It is the table on page 17. I find that Nebraska is entitled, under this table, to only 5 members, and they have given her 6. Going on down the table, I find that New York is entitled to 38 members, while she is only given 37.

Mr. LONG. Mr. Speaker—

Mr. HOPKINS. One moment. I will come to you pretty soon.

Mr. LONG. I hope the gentleman will be fair.

Mr. PEARSON. The gentleman is reading from the wrong table.

Mr. LONG. Certainly; he has deliberately done that.

Mr. HOPKINS. I find that, taking the table prepared by the Director of the Census, these gentlemen who have prepared the Burleigh bill have gone to the State of Pennsylvania and deliberately taken one member from that State, under the basis of 386 members, and given that member to the State of Maine. I find that Maine, entitled under these figures to only 3 members, is given 4 in the Burleigh bill by taking a member from New York. That is the way they get their 386 members.

But gentlemen say that these are the wrong figures; that they are doing their business under the figures 384. Now, when you get the 384, you will find that after exhausting the members that represent the fractional numbers, as was done by the Committee on the Census, Nebraska and Virginia have only 5 and 9 members, and that without rhyme or reason, without any basis whatever, but by the mere exercise of arbitrary force, they add to these States 2 members, making 386, but still say they are figuring on the basis of 384. Now, that can not be done with any degree of justice to the other States, as I am prepared to show you to-day.

Mr. LONG. Will the gentleman yield?

Mr. HOPKINS. I will.

Mr. LONG. Are not those majority fractions both in Nebraska and Virginia, and are they not the only majority fractions unrepresented in that table of 384?

Mr. HOPKINS. Well, what of that?

Mr. LONG. I ask that as a question.

Mr. HOPKINS. Certainly; but what of it?

Mr. LITTLEFIELD. Is not your whole theory based on majority fractions?

Mr. HOPKINS. These gentlemen can not dodge the issue by calling attention to the major fractions, because, as I have already shown, if they have done as they say, they have followed the system down through and exhausted the members represented by fractions before they reach Nebraska or Virginia, and then without rhyme or reason they have taken two members and given one to each of those States, and by doing that they make the membership 386.

Now, if you make the membership of this House 386 on the ratio that they propose, the State of New York is entitled to 38 members and the State of Pennsylvania is entitled to 33, while the State of Maine is only entitled to 3 and the State of Nebraska is entitled to only 5; but they give Maine 4 and Nebraska 6.

Now, I want to know if there is a member from New York here who loves the State of Maine so well that he is willing to have his State lose a member to which she is entitled and give that member

to the State of Maine? I want to know if there is a member here from the State of Pennsylvania who thinks so much of the grand old Mother of Presidents that he is willing to deprive the State of Pennsylvania of the representation that she is entitled to and give a member to the State of Virginia to which she is not entitled?

So much, Mr. Speaker, for the figures. Now, let us take another view. I undertake to say that a more unfair bill was never presented to any House than the bill that is fathered by the gentleman from Maine. I undertake to say that with their 386 members, as they are figuring it, they have violated the Constitution of the United States and have a separate ratio for every State.

Mr. Speaker, if I can have the attention of both sides of the House, I desire to show up some of the shortcomings of the Burleigh bill. I desire to show to the members how it is that the gentlemen from Maine who have been seeking to get that bill adopted here are to profit by it, to the detriment of the other States in the Union.

If there is anything that is sacred in this country, it should be an apportionment bill. If there is anything that should approximate equal and exact justice between all the States as nearly as possible, it should be a bill of this kind. And yet I find, when I come to examine the Burleigh bill, as I have stated, that it provides a different ratio for every State. Now, to show to gentlemen that I am not talking without having the facts and figures back of me, I desire to call their attention to those figures.

You will find that the population of the State of Maine under the present census is 694,466 people. They insist that for that population they shall have 4 Representatives in Congress. If that population is entitled to 4 Representatives, then I submit that every other State in the Union with a population of that number should have an equal number of members of Congress. I recognize the ability of the people of Maine; I recognize the splendid position that Maine holds in the Union; but I did not know until the Burleigh bill was presented that a less number of her people were entitled to a member of Congress on this floor than the people of other States in the Union.

Under the Burleigh bill they get 4 members of Congress for 694,466 people. That makes a ratio of population of 173,617. Now, let us see what they do with the larger States. That is the ratio of population for Maine. For the State of Illinois they require us to have a ratio of population of 192,862. For the State of New York they require us in the Burleigh bill to have a ratio of population for every member of Congress of 196,305.

Mr. LITTLEFIELD. Let me ask the gentleman this—

Mr. HOPKINS. Just a moment. For the State of Pennsylvania they require for every member of Congress a population of 196,941. So that you can see—

Mr. LITTLEFIELD. May I ask the gentleman a question?

Mr. HOPKINS. Yes, sir.

Mr. LITTLEFIELD. Does the gentleman deny that the Burleigh bill, as to which he seems to be so exercised, is made exactly upon a table furnished by the Director of the Census on the basis of 384 members, and that the representation of each State, Illinois and Maine included, is in accordance with his figures on that basis? Do you deny that?

Mr. HOPKINS. Why, Mr. Speaker—

Mr. LITTLEFIELD. Do you deny that as to Maine or Illinois?

Mr. HOPKINS. I am not on the stand and do not propose to be cross-examined by the gentleman. I will explain the matter in my own way.

Mr. LITTLEFIELD. Very true.

Mr. HOPKINS. Will the gentleman sit down?

Mr. LITTLEFIELD. I suppose so.

Mr. HOPKINS. You can stand if you prefer.

Mr. LITTLEFIELD. I will sit if it is not inconvenient to the gentleman.

Mr. HOPKINS. It is a matter of indifference to me whether you sit or stand. I do not know what operated upon the mind of the gentleman from Maine in preparing the Burleigh bill. I do not know what figures he had. All that we could do is to take 386 members and analyze and see whether in preparing the Burleigh bill the gentleman from Maine has treated each of the States of the Union as he has treated his own State. I have shown that he proposes that every 173,617 in the State of Maine shall be entitled to a member of Congress.

Now, in the State of Pennsylvania he does not propose that that number shall be entitled to a member of Congress, but that in Pennsylvania they shall have 196,941 people to be entitled to a member. Now, let me carry these figures out and show the injustice that comes from this Burleigh bill. New York is required under the Burleigh bill to have 22,688 more people in every one of the 37 Congressional districts than is required in the 4 districts of Maine. You multiply that by 37, the districts that the Burleigh bill gives, and it makes an aggregate of 839,456 people; a larger population would be without representation, if the ratio was the same as in Maine, than they have now in the State of Maine by nearly 200,000.

Mr. JONES of Washington. Along that same line, I want to know if it is any more unjust than the results under your bill? [Laughter].

Mr. HOPKINS. I do not yield to the gentleman from Washington to ask me a question on my bill. I am taking up these bills one at a time and am discussing the Burleigh bill now. If he has any question to ask concerning the Burleigh bill, I will answer it.

In analyzing the bill I find that it requires 23,324 more people in every Congressional district in the State of Pennsylvania than in the State of Maine; or, taking the entire State of Pennsylvania, it aggregates a population of 746,368 people that are unrepresented if the ratio should be as the ratio in the State of Maine. Now, how is it in Illinois? I find that in Illinois we are required to have a population of 19,245 more people in every one of the 25 Congressional districts than they have in any one of the Congressional districts in Maine, making an aggregate of more than 481,125. Now, you take these unrepresented people in the three States—New York, Pennsylvania, and Illinois—and they aggregate 2,066,945 people who are unrepresented on this ratio in order to allow the little State of Maine to have 4 Representatives in Congress.

Mr. LONG. Will the gentleman yield to me for a question?

Mr. HOPKINS. Certainly.

Mr. LONG. I want to know whether you have done just right in your bill?

Mr. HOPKINS. I decline to yield to that question.

Mr. Speaker, my bill is not just at this moment under consideration. I will answer any question relating to the Burleigh bill.

Mr. WILSON of South Carolina. Will the gentleman yield to me for a question?

Mr. HOPKINS. I will.

Mr. WILSON of South Carolina. Is not the fact to which you now advert due to the consideration that as the ratio is decreased the major fractions are increased, and consequently larger States have larger aggregate major fractions than the smaller States; and is it not due to that consideration, and for this reason, that you select the large States of New York and Pennsylvania?

Mr. HOPKINS. If Maine is entitled to a member of Congress for 173,617 people, why not make that the ratio? Do you see any objection to that for South Carolina?

Now, what I desire to know, Mr. Speaker, is if 173,000 people in round numbers is sufficient for a member of Congress in Maine, why is not that number good in New York, why not in Illinois, why not in Minnesota, and South Carolina?

Mr. LITTLEFIELD. May I ask the gentleman a question?

Mr. HOPKINS. Yes, sir.

Mr. LITTLEFIELD. If 26,955, which is your basis in Colorado, is good for a Representative there, why not elsewhere?

Mr. HOPKINS. I decline to be interrupted.

Mr. LITTLEFIELD. It depends upon the question asked.

Mr. HOPKINS. Now, Mr. Speaker, I am not going to be diverted by any of these outside issues. The gentleman knows very well I am discussing the Burleigh bill, and undertaking to show that it inflicts injustice on the other States. I can understand how an astute lawyer when he has a desperate case that he can not win on the merits will undertake to throw dust in the eyes of the jury by an outside issue.

Mr. LONG. Can not we compare your bill with the Burleigh bill?

Mr. HOPKINS. Not now.

Mr. LONG. That is not permissible.

Mr. HOPKINS. Mr. Speaker, I find by calculation that if you allow to New York the same right that is accorded to Maine under the Burleigh bill, if you give her a member for every 173,617 people, and a member for every majority fraction, instead of being entitled to 37 members, New York should have 42 members under this bill. She is deprived of 5 members. I find that Pennsylvania under the same ratio that Maine claims her 4 members, instead of being entitled to 32 members, as is given her in the Burleigh bill, is entitled to 36 members, with a fraction of 51,903 people.

I find that Illinois, under the ratio that the gentleman from Maine proposes for her 4 members of Congress, would be entitled, instead of 25 members, to 28 members, or 27 with a fraction of 133,000, which under their ratio gives 28. In other words, if the Burleigh bill treated New York, Pennsylvania, and Illinois as fairly as it treats Maine, and gave them a member of Congress for every 173,000, in round numbers, as they do Maine, 12 additional members of Congress would be added to these three States.

I want to know, if we are dealing fairly with the large States as well as the small ones, why it is that these gentlemen do not make the ratio for the three States I have named the same as they do the ratio for their States?

I will not stop with three States. I have made a computation with some of the other States. I will take up the grand old Commonwealth of Massachusetts, lying right along by the side of Maine, where their interests are almost identical, and where it is

supposed that a man in Massachusetts is equal to a man in Maine. I find that under the Burleigh bill only 14 members are assigned to Massachusetts, with a population of 2,805,346 people.

Now, they make the ratio of population in Massachusetts 200,382. In other words, every Congressional district in Massachusetts under the Burleigh bill is required to have 23,765 more people than any of the districts in the State of Maine, and multiplying that by 14, the number of members given Massachusetts in the Burleigh bill, makes 374,710 people unrepresented, on that ratio, in the State of Massachusetts.

The next comparison I have made I want to call to the attention of my friend from Minnesota, who is on the committee, and who has signed the minority report, and who favors the Burleigh bill, Mr. HEATWOLE. Minnesota has a population of 1,949,626. She is allowed in the Burleigh bill 9 members. That makes a ratio of her population for a member 194,403. In other words, the gentleman from Minnesota [Mr. HEATWOLE], who joined his friend from Maine, says to the people of Minnesota that it requires 20,786 more people in a Congressional district in his State to equal a Congressional district of the State of Maine. He says to his people that 187,074 people can go unrepresented in order to give Maine more members.

Now, here we have this young giant from the West, her population increasing in a marvelous manner compared with the State of Maine that for forty years has not increased her population over 10 per cent, and yet representing the committee as he did, he is willing to give a member of Congress in that State for every 173,000 of population where 194,403 is required in the State of Minnesota. And in three years, by the increase of population in that State, that 194,000 will reach 200,000, 205,000, 210,000; and yet, in order that Maine may be taken care of, forgetting the great and growing West, he says the bill proposed by the majority of the committee, that recognizes the rights of Minnesota with all the other States, shall be set aside and this substitute bill, that takes care of the State of Maine, shall be substituted in its stead.

I commend these figures to other members from the State of Minnesota and leave it for them to determine whether Minnesota, which would be entitled to 10 members on the ratio that Maine gets 4, shall be content with 9 as given to it in the Burleigh bill.

Now, something has been said about the State of Ohio under the bill reported by the majority of the committee. That State loses 1 member under the bill that is reported by the majority of the committee. Under the Burleigh bill they have sought to obtain votes from the State of Ohio to support Maine's contention in the Burleigh bill by putting back 1 member and giving her a representation in the next Congress under this apportionment bill of 21 members.

Let us look at the figures and see whether Maine has dealt justly with Ohio. We find that Ohio has a population of 4,157,545. She is given, as I have said, 21 members, requiring a population of 197,978 for every Congressman. In other words, it takes a population of 24,361 more in every district of Ohio than it does in the State of Maine to entitle her to a Representative. Ohio, on the ratio of a population of 173,617, is entitled not to 21 members, as proposed in the Burleigh bill, but to 24 members.

Can anybody say that the great State of Ohio, with her splendid representation on this floor, is not entitled to the same representation on population that the State of Maine is? If Maine is to have 4 members, why not on the same ratio give Ohio 24? Is there any member from Ohio who has been urged to support the Burleigh bill who for a moment would be willing to sacrifice 3 members from that State and give Maine 4 members?

Let me take up another State. Thus far in my analysis of the Burleigh bill I have confined myself to the Northern States. I now call the attention of the members of the South to the State of Texas. Texas has a population of 3,408,710. Under the Burleigh bill she is given a representation of 16 members; but we find that it requires under this representation 16,927 more population in each Congressional district in that State for a Representative to Congress than it does in the State of Maine. Texas, on a ratio of 173,617, is entitled, according to population, to 18 members, instead of 16, as given by the Burleigh bill.

My friend [Mr. BALL] intimated the other day that he would give his support to the Burleigh bill. I want to know whether he is willing to support that bill when he thereby sacrifices two members in the State of Texas. Is there any member from the State of Texas who would be so unjust to that magnificent State of the Southwest as to deprive her, under this ratio, of two members?

Mr. Speaker, I have some more figures here that carry out and illustrate just what I have said. Take the State of Iowa, that is allowed 11 members under the Burleigh bill. She has a population of 2,231,853. Under the Burleigh bill she is required to have a ratio of 202,896. In other words, it takes 29,229 more people for every Congressional district to elect a member of Congress in the State of Iowa under the Burleigh bill than it does in the State of Maine.

Mr. LACEY. Will the gentleman allow me a moment? I have

here House bill 17677—the Burleigh bill, as I understand. Is not that the one which is intended as a substitute for the committee bill?

Mr. HOPKINS. Yes, sir.

Mr. LACEY. This bill gives Iowa 12 members.

Mr. HOPKINS. I will say to the gentleman that that is one of the anomalies of the bill. The gentlemen who prepared that bill gave Iowa in the first place 12 members, and then, without rhyme or reason, took one member away from her and proposed to give her only 11.

Mr. LACEY. Is not this the correct print of the bill?

Mr. HOPKINS. No; the substitute which they propose is in the report of the committee. The bill which the gentleman has in his hand represents the arrangement with which those gentlemen first started. This matter furnishes an illustration of the beauties of the Burleigh bill. When those gentlemen thought they could get along without Iowa they cut her down one member, allowing her 11 Representatives instead of 12. But if Iowa is allowed representation on this floor upon the ratio of population which Maine insists upon, she would be entitled, instead of 11 or 12 members, to 13 members.

Mr. LONG. The gentleman certainly means to be fair. I call his attention to the fact that according to this table of 384 members Iowa has not a major fraction, while Virginia and Nebraska have. Certainly the gentleman has read the report of the minority of the committee, in which they state that they take the computation of the Director of the Census on the basis of 384 members, and add these two States because they have majority fractions.

Mr. HOPKINS. I want to say to the gentleman that he can not lay that flattering unction to my soul, and say that I shall be bound by the 384 computation. I take the bill which says that the representation in this House shall be 386. If the membership is 386, you can not get any such figures as you propose under 384. You can take 384 and make a representation for a part of the House, and then take some arbitrary figures for the rest of your bill that is not in accordance with the principles of the Constitution of the United States.

Mr. LONG. Did not Mr. Webster, in his report, insist that every State with a majority fraction should be accorded a Representative upon that fraction?

Mr. HOPKINS. Does the gentleman know why?

Mr. LONG. I ask the gentleman whether that is not the fact.

Mr. HOPKINS. I will state to the gentleman that Mr. Webster, in making that report, found the major fractions were such that there could be an additional member for every major fraction. The contention then was, or at least one of the contentions then was, that there must be some representation for minorities as well as majorities. But at the time Mr. Webster presented his report he fixed a definite number for the House and made the apportionment for the States, and then when the question of taking care of the fractions arose it was found that there would be additional members on that ratio to take care of all the major fractions.

Mr. LONG. Does the gentleman not know that he is misstating the facts in that case?

Mr. HOPKINS. I know I am not.

Mr. LONG. I know you are, and will show it to you.

Mr. HOPKINS. That is all right enough, but I know I am not. I have the report in my desk.

Mr. LONG. In regard to 1832?

Mr. HOPKINS. Mr. Webster made his report under the census of 1830.

Mr. LONG. Yes.

Mr. HOPKINS. When the controversy was between him and the House, and Mr. Polk as chairman of the committee. Now, Mr. Webster did say just what I have said, but the reason that he said so was because in that instance there was a member for every major fraction. Is not that so?

Mr. LONG. I will say to the gentleman—

Mr. HOPKINS. Answer my question.

Mr. LONG. I will do it.

Mr. HOPKINS. Well, do it, then.

Mr. LONG. Under that amendment—

Mr. HOPKINS. Is not that so?

Mr. LONG. It is not so. They started with a House of 250, and by according representatives to every major fraction they reached a House of 251, and the gentleman knows it if he has read the report.

Mr. HOPKINS. Oh, well, Mr. Speaker, the gentleman may get a little excited over this—

Mr. LONG. I am not a particle excited.

Mr. HOPKINS. But nobody can be misled on a question of that kind. The contention of Mr. Webster, between him and the House at that time, was that fractions should be represented.

Mr. LONG. What kind of fractions?

Mr. HOPKINS. Will you allow me right there for a moment?

Mr. LONG. Yes.

Mr. HOPKINS. Congress up to that time had never recognized fractions in making the apportionment. The great argument that Mr. Webster made was that fractions should be represented, and hence he did use the argument that all of these major fractions should be represented; but as I stated, in making their apportionment they could do that so as to take care of the members, but with a larger number of States, under the representation as we have it at the present time, we have been compelled to adopt the suggestion made by the Superintendent of the Census, Mr. Walker, to apply major fractions until the number of Representatives was exhausted.

Mr. LONG. May I ask the gentleman another question?

Mr. HOPKINS. Yes.

Mr. LONG. This letter of Mr. Walker's was sent to the House in 1881, was it not?

Mr. HOPKINS. Yes.

Mr. LONG. And in the apportionment of that year and in the apportionment of 1890 it was followed, was it not?

Mr. HOPKINS. Yes.

Mr. LONG. Now, in either of those apportionments was any State with a major fraction denied representation on that major fraction?

Mr. HOPKINS. Does not the gentleman know, just as I have stated to the House, that they increased the number of Representatives? That is the trouble that has been brought upon us at this time. You increase the number so as to take care of all of the major fractions every ten years and this generation will hardly pass away before we shall have a House of five or six hundred members.

We have come to the point where a limit must be made to the membership of the House. But if you follow the suggestion of my friend from Kansas [Mr. LONG] and allow a member for every major fraction, then you must increase it, not in the arbitrary way suggested by the gentleman from Kansas, but by increasing the other States until you reach a point where every State will be taken care of.

Now, if these gentlemen representing the Burleigh bill had followed the suggestion of Mr. Webster in that respect, instead of stopping at 386, as they have in this bill, they would have gone to 395. These figures presented here by the Director of the Census show that you can not reach any number where you can do exact and equal justice to all the States on the same ratio—mark this, on the same ratio—and take care of the major fraction in addition to that short of a membership of 395. Now, is not that correct?

Mr. LONG. The minority of this committee—

Mr. HOPKINS. Now, is not that statement correct?

Mr. LONG. The minority of this committee are following Mr. Webster.

Mr. HOPKINS. Is not that statement correct?

Mr. LONG. According to your Walker process, but not according to the Webster process.

Mr. HOPKINS. Yes; it is in accordance with the Webster process.

Mr. LONG. It is not.

Mr. HOPKINS. There is no difference—

Mr. LONG. There is a great difference.

Mr. HOPKINS. There is no difference between the Walker and Webster system, except this, that at that time, as I stated before, Mr. Webster found that the major fractions could all be taken care of; but that was not the burden of his argument.

The burden of his argument was to convince Congress that the fractions should be taken care of. You will find an elaborate report made by Mr. Polk, in which he produces arguments that are a credit to any man to show that it is unconstitutional to represent fractions at all. Now, if these gentlemen representing the Burleigh bill had sought to be entirely fair to the country, entirely fair to the members of the House, entirely fair to all the States, instead of stopping with 386, just where they could take care of those States that are doing the interrupting here to-day, they would have carried it up to 395. Then every State would have been properly and equitably represented on this floor.

But I judge from the fact that they stopped short of that, that they, as well as the majority of the committee, recognized the fact that we have reached the danger point in matters of legislation in increasing the membership of the House. They recognized that this House has to-day a membership fully as large as we ought to have, consistent with proper legislation. And they have simply adopted some method of figuring, I do not know by what process, by which they can get 386 and take care of their States. But, as I have shown, in doing that they do an injustice to Illinois, they do an injustice to New York, they do an injustice to Pennsylvania, to Iowa, to Indiana, and to all the great States, North and South.

Now, Mr. Speaker, I have shown that Iowa was entitled to 2 more members of Congress under the Burleigh bill than have been given to it by the authors of that bill. I now take up the State of Indiana. I am sorry that my good friend [Mr. GRIFFITH] from

the minority of the committee, has indorsed the Burleigh bill. I say that instead of being entitled to 13 members, if you were treating your State as well as you treat the State of Maine, instead of being content with 13 members you would insist upon 14.

Do you want to treat the State of Maine better than you treat your own State? Do you believe that it requires a larger population in Indiana to have a member of Congress than it does in the State of Maine? By your vote in support of this minority report you say so. You say to the people of Indiana that they have not the intelligence, the character, the capacity, so that a given number are entitled to the same representation on this floor that you give to the people of the State of Maine.

Mr. HEMENWAY. In reply to that statement I want to say that the Representatives from Indiana—at least part of them—and the people of Indiana have too much sense to pay any attention to the argument made upon the basis you are making it. [Laughter.]

Mr. HOPKINS. Well, that is all right, but I will give you the figures to show that I am right. Indiana has a population of 2,516,465 people, and on the ratio of Maine she would be entitled to 14 members. The gentleman can take that to himself or not, as he pleases.

Mr. HEMENWAY. If the gentleman will permit, he is taking Maine, where they give 1 member on a major fraction, and is dividing it by 4. Now, if he will take his own bill and take the State of Colorado he can make his own bill just as ridiculous as he is making this. [Applause.]

Mr. MILLER. And a great deal more so.

Mr. HOPKINS. But I am doing that because the State of Maine insists that she is entitled to 4 members, when by doing that, under a fraction, she takes a member from New York with a larger major fraction than Maine. You may view this from any standpoint, and I undertake to say, Mr. Speaker, that the Burleigh bill can not be defended on the representation given to the State of Maine. Under the Burleigh bill Michigan is entitled to 14 members instead of 12; Wisconsin is entitled to 12 instead of 11, and Virginia is entitled to 10 instead of 9. California, with a major fraction, is entitled to one more member than is accorded to her.

The State of South Carolina is entitled to 8, and a fraction of 124,000; and if that 124,000, which is a major fraction under the Burleigh bill, is considered, South Carolina is entitled to 8 members instead of 7; Missouri is entitled to 18 members instead of 16; Kentucky is entitled to 12 instead of 11; New Jersey is entitled to 11 instead of 10; Tennessee is entitled, under that ratio, to 12 instead of 10; Georgia is entitled to 13 instead of 11.

I have not the time to-day to go into an analysis of the Crumpacker bill. Before the close of the debate I shall have some observations to submit upon that, but I desire to wait until Mr. CRUMPACKER has had an opportunity to present his bill.

I have simply taken these tabulated statements to show to the members of the House the necessity of carefully examining the conclusions arrived at in the Burleigh bill. I have shown the inequalities, and that in every State there is a different ratio of population for representation than the one adopted for Maine.

I have undertaken to show, Mr. Speaker, that by the majority bill we have taken a common divisor—208,868—and made it applicable to every State, and that under that divisor equal and exact justice is given to every State in apportioning 335 members. The 22 unassigned members have been apportioned in the manner already explained, as equitably as it is possible to apportion members on fractions.

Mr. LLOYD. Is it not a fact, under the report of the majority of the committee, that in the State of Illinois you require 209,632 of a fraction to have a member, while in your bill you require 231,488 to entitle Maine to have 1 member?

Mr. LONG. And Colorado 269,000.

A MEMBER. And Vermont 170,000.

Mr. HOPKINS. Gentlemen can go into figures as they choose. This fact stands out prominently, and it can not be gainsaid by discussing the bill, and that is this, that the common divisor is 208,868. We find we have applied it to all States where it is applicable. Now, if there are any inequalities they are inequalities that come under the fact of applying it to the fractions, and the fractions are represented by these 22 members.

Now, if the entire population of the United States were not divided by State lines there would be no trouble whatever. But when I started out in my remarks I undertook to state clearly to the members of the House that it is impossible to do exact justice to every State and have the population represented. My analysis of the two bills has been to show that there are more inequalities presented in the Burleigh bill than are presented in the bill reported by the majority of the committee.

Mr. LITTLEFIELD. You have not made a single analysis of your own bill on the same basis on which you have examined the Burleigh bill.

Mr. HOPKINS. I have given the figures full and complete.

Mr. Speaker, it is not my purpose to detain the House longer.

I have simply given these facts and figures here to-day to arouse the attention and the interest of members. They have now the figures that are given to us by the Director of the Census, and every man can go and figure for himself.

My purpose is not so much to have 357 adopted, or 386, or any other number, as it is to call the attention of the members to the importance of the question. I do hope, however, this House will not be carried away by personal solicitation or by arguments of a political nature. I insist that in a great measure like this partisanship should be sunk, that personal interests should be forgotten, and that we should all unite, Democrats and Republicans alike, in framing a bill that will guard the interest of all the States in the most equitable and just manner that can be provided by the intelligence of this House. [Loud applause.]

Mr. HAY. I yield fifteen minutes to the gentleman from Colorado [Mr. SHAFROTH].

Mr. SHAFROTH. Mr. Speaker, it seems to be apparent from the questions which have been propounded to the chairman of the committee that there is something radically wrong in the formation of this bill. A bill which provides for representation in this House for the next ten years by the people of the various States of the Union should be most carefully framed.

I have attempted to look into the inequalities of the measure, and I find that they result from the error of adopting a defective system. The system which has been adopted by the chairman of the committee in the formulation of this bill works gross injustice to a number of States in the Union. I call attention first to the wrong which is done to the State of Colorado, because that is perhaps the most apparent. We find, according to the tables that are sent to us by the Director of the Census and upon which this bill is framed, that even if this House is reduced to the membership of 350 Colorado is entitled to an additional member.

If it is fixed at 351, she is entitled to an additional member. If fixed at 353, or 354, or 355, or 356, she is entitled to an additional member. But if the number 357 is picked out, then she is not entitled to an additional member. If the membership of the House goes beyond that to any extent, if it is 358 or 359 or any number up to 400, then she is entitled to an additional member. Out of the two sets of tables that are sent to this House by the Director of the Census, tabulating 100 illustrations, 50 under one system and 50 under another, there is but one number by which Colorado fails to get an additional member, and that is the number fixed by the committee that has brought the bill into this House. [Laughter.]

Now, Mr. Speaker, I maintain that any bill which is predicated upon a system that admits of an injustice of that kind is radically wrong. I want to call attention to the fact that if the representation is fixed at 213,000 inhabitants and for each major fraction of that number, Colorado is entitled to an additional member. If it is placed at 212,000, or 211,000, or 210,000, or 209,000 and major fraction, she is entitled to an additional member. But if it is fixed at 208,868 and major fraction, she is not. Can any man, according to principles of justice, explain that paradox satisfactorily? Is there any justice in a system that works such a wrong as that?

Mr. LITTLEFIELD. That is what the chairman would not answer.

Mr. SHAFROTH. That is what I tried to get him to answer. It may be that the system works out in mathematics that way; but no man can say it is just that a State which is entitled to an additional member, when its people are entitled to it, according to an apportionment of 213,000, is not entitled to it when that number is reduced to 208,000. There is no justice or fairness in selecting that number, and that is the only number by which Colorado fails to get the representation to which she is entitled.

Now, that is one illustration only as to how this system works. It also works the same with some other States. It works so with the State of Maine. Upon a certain apportionment Maine is entitled to maintain 4 members in this House, and yet upon an increased membership of the House it is not entitled to but 3. If the membership is placed at 383, 384, or 385, Maine is entitled to 4 Representatives, but if fixed at 386, she is entitled to only 3. If placed at 387 or 388, she is again entitled to 4 members, but if fixed at 389 or 390, she is entitled to only 3. "Now you see it and now you don't." Any system that works an injustice of that kind can not be defended by anybody upon principles of equity or fairness. If the State of Maine is entitled to 4 members upon the ratio of 1 Representative to each 194,689 inhabitants and major fraction, she is unquestionably entitled to the same number upon the ratio of 1 member to each 191,194 inhabitants and major fraction.

Mr. GAINES. How is that done; how does it come about?

Mr. SHAFROTH. It is done by means of a system which does not recognize that all major fractions are entitled to representation. The details of it are uninteresting. I went to the Census Bureau and told them there must be a mistake in their first set of tables. I saw the gentleman in charge of this compilation. He looked at it and said, "Colorado entitled to an additional member

at 350 or 351, and not entitled to one at a membership of 357? That must be a mistake." He looked at it further and said, "I don't know whether it is a mistake or not." He ran over the column of figures, recalculated it, and at last said: "No; it is no mistake." There may be no mistake, but it shows the injustice and unfairness of a bill predicated upon such a system.

Mr. LITTLEFIELD. How did he explain that it was produced?

Mr. SHAFROTH. He explained it on the same theory that the gentleman from Illinois [Mr. HOPKINS] attempted to—the shifting of the major fraction upon change of ratio. But he did not claim that it was fair. In fact, he said that it showed a serious defect in the system, and that the Bureau had not recommended any system.

The case of West Virginia is another illustration of the defect of the plan adopted by the committee. According to these tables West Virginia is entitled to 5 members if the membership of the House is placed at 351, or 1 Representative for each 212,438 inhabitants and major fraction, but is entitled to but 4 if the membership is fixed at 352 or 353, or 1 Representative for each 211,834 and major fraction or for each 211,294 and major fraction.

Mr. Speaker, I am opposed to this bill. I think it is predicated on a wrong basis, on a wrong theory, and I believe that if such iniquities as I have pointed out in the cases of Colorado, Maine, and West Virginia had appeared among the tables that were presented to Congress in 1850, when this system was first adopted, the Senate and House would have found that the old system of fixing a given number of inhabitants for each Representative and for each major fraction would come nearer doing equity among the States.

This latter system, which forms the basis of the second computation sent here by the Director of the Census, is, it seems to me, as perfect a system as it is possible to devise. The experts of the Census Bureau took a certain number—for instance, 200,000—and divided the population of each State by that number, giving to the State the number of Representatives determined by the quotient and major fraction, if one should result. In that way no State, in representation upon an increasing change of ratio, jumps up at one time and down at another. From the tables formed under this latter system you can not find—I have hunted for it in vain—an illustration such as Colorado, Maine, or West Virginia furnishes under the committee's system. It seems to me that the apportionment bill ought to be predicated upon a system that does not admit of irregularities and injustices such as exist in this bill.

Now, Mr. Speaker, I am in favor of a smaller ratio of apportionment and a larger House than is proposed by the bill presented by the chairman of the committee. To say that this House is going to cease to be a deliberative body because of 29 or 30 additional members is something that is preposterous. It is absurd to maintain such a proposition. This House is going to be just as much a deliberative body with 30 additional members as it is at the present time. It has not been a deliberative body for fifty years, and it never will be a deliberative body again unless you reduce the membership below 150.

When we observe the legislative bodies of the various nations of the world we are struck with the fact that this body, representing directly the people of the greatest nation on earth, is in fact a much smaller body than that which usually represents the people of other nations. The British House of Commons has a membership of 670, yet that body legislates for only 37,000,000 of people, whereas we legislate for over 75,000,000. And even the British House of Lords has 587 members. The French assemblies are large. France has a population of 38,000,000—just about half the population of the United States—yet the Senate of France consists of 300 Senators and the Chamber of Deputies of 585 members.

More than that, we find that even in the German Reichstag the number of members is 396, while the population of the German Empire is only 52,000,000. We find that Mexico, our neighbor to the south, has a House of Representatives in which one member is apportioned to every 40,000 people, making a House of 314 members, nearly as large as this body. Canada has a senate of 80 members and a house of commons of 213 members. We find that little Switzerland has a much larger representative body than this, although her population is not more than one-fifteenth as great as ours. The popular legislative body of Italy is 508, of Austria is 425, and of Hungary is 453.

The objection is made that this Hall is not large enough to justify any increase in the number of Representatives. Mr. Speaker, is it possible that we are going to regulate or control the membership of the greatest legislative body on earth because the confines of its chamber are not quite as extended as they might be? Is it possible that we may mean to determine the membership of the House by the room in which we happen to meet? Are we going to fit the membership of Congress to a certain room? But even upon this proposition the chairman of the committee is wrong.

This additional number of 29 Representatives can be easily accommodated in this Chamber. If you take out the lounges and seats in the lobby in the rear of the curtained railing, you will

have room for 75 more members if you wish to add that many. And it would be better for the House if that space were used in some way or other than it is at present. We know that the disorder in this House results from the noise occurring in the rear of the curtained railing in this very lobby, which ought to be abolished. The lounges and the seats ought to be taken out so that members can not sit down and converse with each other there. We could accommodate 75 additional members, if necessary, instead of 29, the number provided in the bill of the gentleman from Maine [Mr. BURLEIGH], and still have convenient passageways.

Thus we find that the arrangements necessary to accommodate the proposed increased membership can be made very easily. I have before me a chart of the seats of the House of Representatives. I have attempted to add 30 seats, to see whether there would result any inconvenience in the seating capacity of the House. I find that by simply adding two portions of a section of 10 in the rear and extending the last row as it now exists a little farther, so as to accommodate 5 more members, we should have an additional seating capacity of 15 seats on each side without in any manner interfering with convenient access to or exit from this Chamber.

If we want to have good order in this House, we can never have it while we have places in the rear concealed from the Speaker by curtains for members to sit down and discuss with each other public questions. There is where the noise comes from. You and I have seen members of the House stop during their speeches and ask persons in the rear of these curtains to desist from loud talking. It will never cease until the lobby is abolished. It will be abolished if the seats for 30 new members are placed there, and hence we will have better order than we do now.

Mr. Speaker, I contend there is no argument in the position taken that the size of this Chamber should limit the membership of this House; that the number of members of a great legislative body like the Congress of the United States should be determined by whether the Hall is suitable to accommodate a proposed number or not. But in this case the Hall is suitable—just as suitable for the number of members proposed in the Burleigh bill as the number proposed by the committee bill.

Mr. SIMS. In other words, the gentleman thinks that the proper membership of the House, not the capacity of the Hall, should be the paramount consideration.

Mr. SHAFROTH. Yes, sir; it seems to me that the House, and not the Hall, should be paramount.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURLEIGH. I yield five minutes' more time to the gentleman.

Mr. SHAFROTH. Now, Mr. Speaker, it seems to me that the gentleman from Illinois [Mr. HOPKINS] in his remarks has attempted to prove too much in his declaration that on the ratio of inhabitants to Representatives for Maine given by the Burleigh bill Iowa loses 2; that Indiana loses 1; that New York loses 2; that Pennsylvania loses 2; that California loses 1; that South Carolina loses 1; that Missouri loses 1, and that Kentucky loses 1; in all, 21 members. That would require a House of 407 members. The Hopkins bill is subject to the same objection. Colorado has a population of 539,103, and yet is allowed only 2 members. It takes 269,551 inhabitants in Colorado to be entitled to a member, while in New York or Illinois it takes only about 208,000. If Illinois were allowed members on the same terms as Colorado, she would lose 4 members, instead of gaining 1; New York would lose 5 members, instead of gaining 1, and nearly all the States would lose. So it appears that the same logic of the gentleman from Illinois applied to his own bill causes much more injustice than the Burleigh bill.

Mr. Speaker, I do not believe the Burleigh bill is predicated upon a proper system, but it is a much better bill than the one proposed by the gentleman from Illinois. The number which I think is the fairest number, the one that is in accordance with the second set of apportionment tables sent by the Director of the Census, would be 387. That number would cause not a single loss to any State and would be predicated upon an apportionment of 194,000 inhabitants to each Representative.

Mr. Speaker, it may be that under the number 387 of this second system there will be gains to some States of 2 and 3, Illinois gaining 3, New York gaining 3, Texas gaining 3; but no one can contend that that apportionment would be anything except absolutely fair to all the States of the Union. In that apportionment the membership is determined by a basis of 194,000 inhabitants, by which the total population of each State is divided, and then allowing an additional Representative for each major fraction remaining. It seems to me that that number under the second system would be well for this House to adopt.

The gentleman from Illinois [Mr. HOPKINS] has said that this system which I am talking about now has inequalities. I tried to get the opportunity to ask him wherein the inequalities existed,

wherein there was any injustice done to any State, but he would not yield. He said that in the debates in the Senate and House in 1840 the injustice of the old system was denounced, but the debates in Congress were not upon the question of major fractions; were not upon the question of the apportionment which has been specified in this second set of tables sent by the Director of the Census. It was predicated upon the theory that nothing was allowed for any fraction whatever, whether it was a major fraction or not.

You can readily see that if 200,000 were the basis of apportionment agreed upon, and a State had a fraction of 199,000 unrepresented, that could be the basis of a strong argument against such injustice, and you can readily see that there might be an outpouring of wrath against a system that would admit of such an outrage. The allowing of representation upon major fractions did away with the injustice of the system. But the system that is proposed here by the Director of the Census, which allows a Representative for each major fraction, makes it as perfect a system as can be devised.

Mr. Speaker, it seems to me that the bill which is proposed by the gentleman from Illinois is a bill that has too many inequalities and works too much injustice to admit of its adoption by this House.

[Here the hammer fell.]

Mr. BURLEIGH. I yield to my colleague [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Speaker, the hour is so late that I could make but very little progress in my speech this evening, and for that reason I move that the House do now adjourn. I reserve my place, of course, for opening in the morning.

LEAVE OF ABSENCE.

Pending the vote on the motion to adjourn, leave of absence was granted as follows:

To Mr. ZIEGLER, for one week, on account of important business.

To Mr. BROWN, for two days, on account of sickness.

To Mr. BARTLETT, until Monday, on account of sickness in his family.

To Mr. WILSON of Idaho, indefinitely, on account of sickness.

The motion of Mr. LITTLEFIELD was agreed to.

Accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Mary Hughes, administratrix of Clarissa Young, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for expense of the International Bureau of the Permanent Court of Arbitration—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Interior, transmitting schedules of useless papers in the files of the Department—to the Joint Committee on Disposition of Useless Papers in the Executive Departments, and ordered to be printed.

A letter from the Secretary of War, transmitting a list of civilian engineers employed in river and harbor work—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the chairman of the Interstate Commerce Commission, transmitting the annual report of the commission—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. BURTON, from the Committee on Rivers and Harbors, reported the bill of the House (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, accompanied by a report (No. 2136); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HENRY C. SMITH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12577) granting a pension to Sarah B. Schaeffer, reported the same with amendment,

accompanied by a report (No. 2137); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1148) to increase the pension of Capt. Isaac D. Toll, reported the same with amendment, accompanied by a report (No. 2138); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 633) granting an increase of pension to Vianna Mallard, widow of John Q. Mallard, reported the same with amendment, accompanied by a report (No. 2139); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12258) for the relief of John H. Doremus, reported the same with amendment, accompanied by a report (No. 2140); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12616) granting an increase of pension to Nancy T. Hardy, reported the same with amendment, accompanied by a report (No. 2141); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7810) granting a pension to Robert P. Currin, reported the same with amendment, accompanied by a report (No. 2142); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12415) granting an increase of pension to Carrie Otis Wallace, reported the same with amendment, accompanied by a report (No. 2143); which said bill and report were referred to the Private Calendar.

Mr. VREELAND, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5613) to increase the pension of Louis Nessell, a survivor of the Mexican war, reported the same with amendment, accompanied by a report (No. 2144); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3232) granting an increase of pension to David Flinn, reported the same with amendment accompanied by a report (No. 2145); which said bill and report were referred to the Private Calendar.

Mr. WEYMOUTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11658) to place on the pension roll the name of Mary I. Nelson, reported the same with amendment, accompanied by a report (No. 2146); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12294) granting a pension to Lottie M. V. Rankins, reported the same with amendment, accompanied by a report (No. 2147); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12233) granting a pension to Ashel C. Aulick, reported the same with amendment, accompanied by a report (No. 2148); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10118) for the relief of Mrs. Mary Flynn, of Mississippi, reported the same with amendment, accompanied by a report (No. 2149); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5599) granting an honorable discharge to James L. Proctor, reported the same with amendment, accompanied by a report (No. 2158); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. BURTON, from the Committee on Rivers and Harbors: A bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—to the Union Calendar.

By Mr. NAPHEN: A bill (H. R. 13190) to amend the war-revenue act approved June 13, 1898, so as to return to all religious, charitable, or educational institutions all moneys collected to this date under the provisions of the so-called war-revenue act—to the Committee on Ways and Means.

By Mr. DAVIS: A bill (H. R. 13191) providing for the erection of a public building at the city of Gainesville, Fla., and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. REEDER: A bill (H. R. 13192) to authorize the construction of artesian wells in Kansas—to the Committee on Irrigation of Arid Lands.

By Mr. HOPKINS: A bill (H. R. 13193) to authorize the Director of the Census to make payments for information concerning cotton gins, and for other purposes—to the Select Committee on the Census.

By Mr. HOWELL: A bill (H. R. 13194) authorizing the purchase of a building and lot for the use of the Post-Office Department at Asbury Park, N. J.—to the Committee on Public Buildings and Grounds.

By Mr. PAYNE: A bill (H. R. 13195) to amend section 5153 of the Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. HILL: A bill (H. R. 13196) to change United States notes into legal-tender gold certificates, and for other purposes—to the Committee on Banking and Currency.

By Mr. JENKINS: A bill (H. R. 13197) to regulate the coming of Chinese persons into the United States, and for other purposes—to the Committee on Foreign Affairs.

Also, a bill (H. R. 13198) supplemental to an act entitled "An act to incorporate the Reform School for Girls of the District of Columbia," approved July 9, 1888—to the Committee on the District of Columbia.

By Mr. SUTHERLAND: A bill (H. R. 13242) to authorize the construction of artesian wells in Nebraska—to the Committee on Irrigation of Arid Lands.

By Mr. KING: A bill (H. R. 13253) appropriating money to pave Florida avenue between First and Fourth streets NW.—to the Committee on Appropriations.

Also, a bill (H. R. 13254) for the reduction of interest penalties on arrears in taxes and special assessments in the District of Columbia—to the Committee on the District of Columbia.

By Mr. JENKINS: A joint resolution (H. J. Res. 287) authorizing the Secretary of War to grant permits to the committee on inaugural ceremonies for use of reservations or public spaces in the city of Washington on the occasion of the inauguration of the President-elect on March 4, 1901, and so forth—to the Committee on the District of Columbia.

By Mr. MONDELL: A joint resolution (H. J. Res. 288) providing for the printing of 5,000 copies of Bulletin No. 86 of the Department of Agriculture—to the Committee on Printing.

By Mr. GROSVENOR: A concurrent resolution (H. C. Res. 64) to print additional copies of Atlas of Chickamauga and Chattanooga Battlefields—to the Committee on Printing.

By Mr. LOUDENSLAGER: A resolution (H. Res. 326) that a sum equal to two months' salary be paid George C. Randall, B. W. Armstrong, John W. Herndon, J. M. McKay, and F. B. Lyon for extra services performed in the folding room, and so forth—to the Committee on Accounts.

By Mr. TAYLER of Ohio: A resolution (H. Res. 327) increasing the salary of Howard D. Pritchard, clerk in the Clerk's document room—to the Committee on Accounts.

By Mr. SHATTUC: A resolution (H. Res. 328) requesting information from the Director of the Census—to the Select Committee on the Census.

By Mr. MOODY of Massachusetts: A resolution (H. Res. 330) concerning the use of the Hall of the House of Representatives—to the Committee on Rules.

By Mr. BURTON: A resolution (H. Res. 331) directing the Clerk of the House to pay \$275 to such persons as may be designated by the chairman of the Committee on Rivers and Harbors, for clerical services during the present session—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN of Maine: A bill (H. R. 13199) for the relief of Daniel H. Towle, alias Henry Roberts—to the Committee on Military Affairs.

By Mr. BOWERSOCK: A bill (H. R. 13200) granting a pension to Thomas W. McCubbin—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 13201) for the relief of the estate of William J. Thompson—to the Committee on War Claims.

By Mr. BOREING: A bill (H. R. 13202) to remove the charge of desertion from the record of Joseph G. Curtis—to the Committee on Military Affairs.

By Mr. BREAZEALE: A bill (H. R. 13203) for the relief of the estate of Emil Rost—to the Committee on War Claims.

By Mr. COONEY: A bill (H. R. 13204) granting an increase of pension to Henry H. Brown—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 13205) granting a pension to Caroline Fitzsimmons—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 13206) granting a pension to Luvania Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13207) granting a pension to Martin Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13208) granting a pension to Mary King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13209) granting a pension to Frederick Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13210) granting a pension to George W. Bean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13211) granting a pension to Samuel Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13212) granting a pension to Andrew Goddard—to the Committee on Invalid Pensions.

By Mr. GAINES: A bill (H. R. 13213) for the relief of the estate of J. H. Frith—to the Committee on War Claims.

By Mr. GRAFF: A bill (H. R. 13214) granting an increase of pension to Jacob C. Hansel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13215) granting an increase of pension to Andrew R. Jones—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 13216) granting a pension to Huldah H. Smith—to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 13217) granting an increase of pension to Loyd B. Stephens—to the Committee on Invalid Pensions.

By Mr. KLEBERG: A bill (H. R. 13218) authorizing and directing the Secretary of the Treasury to pay certain money to A. May, late postmaster at Yoakum, Tex.—to the Committee on Claims.

By Mr. MORRIS: A bill (H. R. 13219) granting a pension to Isham Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13220) granting an increase of pension to Hubert Bascombe—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13221) granting a pension to William W. Isaacs—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 13222) granting a pension to N. B. McKay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13223) granting an increase of pension to Francis O'Leary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13224) to correct the military record of David Kunkle—to the Committee on Military Affairs.

Also, a bill (H. R. 13225) granting a pension to Albert Donaldson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13226) granting an increase of pension to William C. McGonigal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13227) granting an increase of pension to Lewis Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13228) granting an increase of pension to John M. Phifer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13229) to remove the charge of desertion standing against John C. Jones—to the Committee on Military Affairs.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13230) for the relief of the estate of Peter S. Baker—to the Committee on War Claims.

Also, a bill (H. R. 13231) for the relief of the estate of W. W. McCrary—to the Committee on War Claims.

Also, a bill (H. R. 13232) for the relief of the estate of William P. Tanner—to the Committee on War Claims.

Also, a bill (H. R. 13233) for the relief of Jacob A. Paulk—to the Committee on War Claims.

Also, a bill (H. R. 13234) for the relief of James Massey—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 13235) granting a pension to William Kyle, a soldier of the Mexican war—to the Committee on Pensions.

By Mr. VANDIVER: A bill (H. R. 13236) granting a pension to James Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13237) granting a pension to Jacob Hoerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13238) granting a pension to Lieut. Andrew Litzelfelner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13239) granting a pension to John Bartmann—to the Committee on Invalid Pensions.

By Mr. JAMES R. WILLIAMS: A bill (H. R. 13240) to increase the pension of Laban Ricketts—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 13241) for the relief of Jesse M. Pearson—to the Committee on War Claims.

By Mr. BROUSSARD: A bill (H. R. 13243) for the relief of the estate of Raphael Segura—to the Committee on War Claims.

Also, a bill (H. R. 13244) for the relief of Gustave Neriaux—to the Committee on War Claims.

Also, a bill (H. R. 13245) for the relief of Rose E. Neriault—to the Committee on War Claims.

Also, a bill (H. R. 13246) for the relief of the estate of Adolph C. Orillion—to the Committee on War Claims.

Also, a bill (H. R. 13247) for the relief of the estate of Alexander Roth—to the Committee on War Claims.

Also, a bill (H. R. 13248) for the relief of the estate of Mrs. Ellen Morrissey—to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 13249) granting a pension to Frances A. Tillotson—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 13250) for the relief of B. W. Johnson—to the Committee on Claims.

By Mr. JAMES R. WILLIAMS: A bill (H. R. 13251) granting a pension to James M. Alderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13252) granting a pension to Margaretha Mossman—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELLAMY: Petition of keepers and surfmen of lifesaving station at Oak Island, North Carolina, for the passage of the bill to increase their pay—to the Committee on Interstate and Foreign Commerce.

By Mr. BRICK: Petitions of Polish societies of South Bend, Ind., for the erection of a monument to Count Casimir Pulaski in Washington, D. C.—to the Committee on the District of Columbia.

By Mr. CONNELL: Resolution of the Pennsylvania Republican State committee, Harrisburg, Pa., sustaining the Burleigh report relating to Congressional apportionment—to the Select Committee on the Census.

Also, resolutions of Philadelphia Chapter of the American Institute of Architects, in relation to a railroad station on the Mall, Washington, D. C.—to the Committee on the District of Columbia.

Also, resolutions of Good Roads Convention, held in Chicago, Ill., asking for an appropriation of \$150,000 for the office of Public Road Inquiry—to the Committee on Agriculture.

Also, resolutions of the Methodist Episcopal Church of Peckville, Pa., favoring the exclusion of the liquor traffic in Africa, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. COUSINS: Petition of citizens of Scotch Grove and Wyoming, Iowa, to ratify treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. FOSS: Petition of Smith-Wallace Shoe Company and other firms of Chicago, Ill., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committee on Ways and Means.

Also, petition of sundry citizens of Chicago, Ill., against island saloons and canteens—to the Committee on Military Affairs.

By Mr. FLETCHER: Petition of citizens of Minneapolis, Minn., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. GAINES: Petition of Mrs. Della Sinnott and others, of Tennessee, for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of E. W. Bland and others, of Rural Hill and vicinity, Tennessee, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. GIBSON: Petition of the heirs of James A. Prater, deceased, of Blount County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. GRAHAM: Petition of the League of American Municipalities, favoring an appropriation in behalf of the Southern States and West Indian Exposition at Charleston, S. C.—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the T Square Club, of Philadelphia, Pa., in relation to proposed changes in the White House—to the Committee on Public Buildings and Grounds.

Also, petition of the A. Colburn Company, of Philadelphia, Pa., in behalf of the pure-food bill—to the Committee on Agriculture.

Also, resolutions of the National Association of Agricultural Implement and Vehicle Manufacturers, of Chicago, Ill., asking for an appropriation for irrigation surveys and maps of irrigable public lands—to the Committee on Appropriations.

Also, petition of the United Presbyterian Congregation of New Alexandria, Pa., in favor of an amendment to the Constitution against polygamy, and various other reform measures—to the Committee on the Judiciary.

By Mr. GREENE of Massachusetts: Resolutions of Cumberland Naval Veteran Association, of New Bedford, Mass., for the passage of Senate bill No. 3423—to the Committee on Naval Affairs.

By Mr. GRIFFITH: Paper to accompany House bill No. 9614, to correct the military record of William McFarland—to the Committee on Military Affairs.

By Mr. GROUT: Petition of Vermont State Federation of Women's Clubs in favor of the forestry reserve and national park in Minnesota—to the Committee on the Public Lands.

Also, petition of James D. Pullen, of Brattleboro, Vt., for the repeal of the duty on tea—to the Committee on Ways and Means.

Also, petition of the National Patriotic Federation protesting against the passage of Senate bills 1929 and 2329, relating to steam railroads that enter the District of Columbia—to the Committee on the District of Columbia.

By Mr. JACK: Petition of J. T. Cole and other citizens of Derry, Pa., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. JOHNSTON: Petition of J. H. Copenhagen, administrator of Bayless G. Farley, of West Virginia, for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of W. H. Morris, of West Virginia, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. KERR: Petitions of Rev. H. W. McDowell and other citizens of Norwalk and Savannah, Ohio, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petitions of the Friends' Sunday School of Greenwich, Ohio; Christian Endeavor Society and Congregational Church, of Norwalk, Ohio; William Behant and others, urging the passage of House bill No. 12551, for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. KLEBERG: Petitions of J. B. McCampbell and others, W. L. Rea and others, J. M. Rodrigues, O. A. Mills, S. S. Cox, A. P. Frick, and others, in the State of Texas, asking for the improvement of Aransas Pass—to the Committee on Rivers and Harbors.

By Mr. McALEER: Resolutions of National Association of Agricultural Implements and Vehicle Manufacturers and petition of Quaker City Rubber Company, of Philadelphia, Pa., favoring appropriation for irrigation surveys—to the Committee on Irrigation of Arid Lands.

Also, resolution of National Good Roads Association, Chicago, Ill., favoring appropriation for good roads—to the Committee on Agriculture.

Also, petition of the A. Colburn Company, Philadelphia, Pa., in behalf of the pure-food bill—to the Committee on Agriculture.

By Mr. McCLELLAN: Three petitions of citizens of New York City, N. Y., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. ROBB (by request): Petition of soldiers of the Eightieth Regiment Missouri Militia, asking for the passage of a bill by which the members of the Missouri Militia may be placed on the pensionable list—to the Committee on Military Affairs.

Also (by request), petition of citizens of Iron County, Mo., asking for the passage of a bill authorizing the Adjutant-General of the United States to grant an honorable discharge to Andy McCue, late of Company D, Sixty-third Regiment Missouri Militia, so that he may be placed on the pension roll—to the Committee on Military Affairs.

By Mr. RUSSELL: Petition of druggists of Killingly, Conn., for the repeal of the special tax on proprietary medicines, etc.—to the Committee on Ways and Means.

Also, papers to accompany House bill granting a pension to Frances A. Tillotson—to the Committee on Invalid Pensions.

By Mr. SHATTUC: Petition of Durrell Bros. and other firms of Cincinnati, Ohio, urging the repeal of the tax on hides—to the Committee on Ways and Means.

By Mr. VANDIVER: Paper in support of House bill for the relief of Andrew Litzfelner, of Company I, Fifty-sixth Regiment Missouri Militia—to the Committee on Invalid Pensions.

By Mr. JAMES R. WILLIAMS: Petition of Laban Rickets, to accompany House bill granting him an increase of pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of N. B. Greathouse—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 12720, for the relief of Margaretha Mossman—to the Committee on Invalid Pensions.

By Mr. YOUNG: Petition of the Republican State committee of Pennsylvania, in favor of the Burleigh report on Congressional apportionment—to the Select Committee on the Census.

Also, letter of Charles H. Cramp, of Philadelphia, Pa., protesting against the registration of foreign-built vessels beyond the date fixed in the bill now pending in the House—to the Committee on the Merchant Marine and Fisheries.

Also, petition of John F. Betz & Son, of Philadelphia, Pa., for relief from the revenue tax on beer—to the Committee on Ways and Means.

Also, resolution of the T Square Club, of Philadelphia, Pa., in relation to proposed changes in the White House—to the Committee on Public Buildings and Grounds.

Also, resolution of the National Good Roads Convention, Chicago, Ill., in relation to road improvement—to the Committee on Agriculture.

Also, resolutions of the National Association of Agricultural Implement and Vehicle Manufacturers, Chicago, Ill., favoring legislation in regard to irrigation of public lands, surveys, etc.—to the Committee on Appropriations.

Also, resolutions of the Grocers and Importers' Exchange and Quaker City Chapter, Daughters of the American Revolution, Philadelphia, Pa., in favor of legislation transferring the present mint building to the city of Philadelphia—to the Committee on Public Buildings and Grounds.

Also, petition of the A. Colburn Company, of Philadelphia, Pa., in behalf of the pure-food bill—to the Committee on Agriculture.

SENATE.

SATURDAY, January 5, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.
The Journal of yesterday's proceedings was read and approved.

CONSULATE AT NIUCHWANG, CHINA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, relative to an appropriation of a salary of \$3,000 for a consulate at Niuchwang, China; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. DEBOE presented a petition of sundry citizens of Kentucky, praying for the adoption of an amendment to the Constitution and to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry business firms of Hopkinsville, Ky., praying for the repeal of the revenue tax on checks, telegrams, contracts of sale, etc.; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Kentucky, praying for the enactment of legislation giving relief to certain State militia; which was referred to the Committee on Military Affairs.

Mr. DOLLIVER presented a memorial of the Retail Grocers' Protective Association of Burlington, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Danbury, Iowa, praying for the repeal of the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of the First National Bank, the National State Bank, and the Henry County Savings Bank, all of Mount Pleasant, in the State of Iowa, praying for the repeal of the revenue tax on the capital and surplus of banks; which was referred to the Committee on Finance.

He also presented a petition of sundry business firms of Dubuque, Iowa, praying for the repeal of the duty on hides; which was referred to the Committee on Finance.

He also presented the petition of S. A. Hewling and sundry other citizens of Webster City, Iowa, praying for the enactment of a graded service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of the Iowa State Veterinary Association, praying for the adoption of the proposed amendment to the Army reorganization bill relating to veterinarians in the Army; which was ordered to lie on the table.

He also presented petitions of the congregations of the Presbyterian Church of Mount Pleasant, the Methodist Episcopal Church of Whatcheer, and of the Woman's Christian Temperance Union of Nevada, all in the State of Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

He also presented the petitions of Richard Kapler and sundry other citizens of Cresco, H. Hendrickson and sundry other citizens of Audubon County, John Dubner and sundry other citizens of Lee County, Ole Peterson and sundry other citizens of Fredsville, George Z. Smith and sundry other citizens of Madison County, Josiah Standing and sundry other citizens of Linn County, Albert Ellgin and sundry other citizens of Worth County, William Lorgenfrey and sundry other citizens of Durant, and of E. Rodenberger and sundry other citizens of Blackhawk County, all in the State of Iowa, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented the petitions of Federal Labor Union No. 7310, American Federation of Labor, of Walsh; of the Trades and Labor Assembly of Des Moines; of the Federation of Labor of Cedar Rapids; of the Trades and Labor Assembly of Ottumwa,

and of sundry citizens of Ottumwa, all in the State of Iowa, praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Garrison County, Mount Vernon, Jefferson, Middleton, Birmingham, and of the congregation of the First Westminster Presbyterian Church of Keokuk, all in the State of Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which were referred to the Committee on Foreign Relations.

Mr. SPOONER presented a petition of the congregation of the First Methodist Episcopal Church of Waupaca, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

He also presented the petition of J. W. Barry and sundry other citizens of Phillips, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which was referred to the Committee on Foreign Relations.

Mr. FAIRBANKS presented a petition of the Hendricks-Vance Company and 12 other business firms of Indianapolis, Ind., praying for the repeal of the duty on hides; which was referred to the Committee on Finance.

He also presented the petition of Frederick Thum and 32 other citizens of Harrison County, Ind., and the petition of Edward Maidlow and 33 other citizens of Vanderburg County, Ind., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. THURSTON presented a petition of the faculty of the Industrial College of the University of Nebraska, Lincoln, Nebr., praying for the establishment of a bureau of weights and measures with a view to securing uniformity in standards and measuring instruments for scientific purposes; which was referred to the Committee on Manufactures.

He also presented a petition of sundry citizens of Valentine, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

Mr. COCKRELL presented a petition of the Mackey Shoe Company and sundry other business firms of Sedalia, Mo., praying for the repeal of the duty on hides; which was referred to the Committee on Finance.

He also presented a petition of the Clearing House Association of Kansas City, Mo., praying for the repeal of the revenue tax on checks, telegrams, contracts of sales, etc.; which was referred to the Committee on Finance.

He also presented a petition of the Great Atlantic and Pacific Tea Company and sundry other wholesale and retail grocers in the United States, praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

He also presented the petition of William Culman, representing the domestic wine interests of the United States, and of Henry E. G. Luyties, representing the wine importers of the United States, praying for the repeal of the stamp tax on domestic and foreign wines; which was referred to the Committee on Finance.

Mr. PENROSE presented a petition of the Commercial Exchange of Philadelphia, Pa., praying for the ratification of the so-called Hay-Pauncefote treaty; which was ordered to lie on the table.

He also presented a petition of the Hermon Christian Endeavor Society, of Frankford, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

He also presented a petition of 57 citizens of Pittsburg, Pa., and a petition of 51 citizens of Wilkesbarre, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the Manufacturers' Club of Philadelphia, Pa., praying for the laying of a Government cable to the new island possessions of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Trades League of Philadelphia, Pa., praying for the repeal of certain portions of Schedules A and B of the war-revenue law; which was referred to the Committee on Finance.

He also presented petitions of the Central Presbyterian Church of Allegheny; the Mount Washington Presbyterian Church, of Pittsburg; the General Assembly of the Presbyterian Church of Pittsburg, and of sundry citizens of Allegheny, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which were referred to the Committee on Foreign Relations.

Mr. FRYE presented a petition of the Central Labor Union of Biddeford and Saco, in the State of Maine, praying for the enactment of legislation to regulate the hours of daily service of